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MEMBER PROJECT REQUESTS FOR THE WATER RESOURCES DEVELOPMENT ACT OF 2005

(109–7)

HEARING

BEFORE THE

SUBCOMMITTEE ON
WATER RESOURCES AND ENVIRONMENT

OF THE

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

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MEMBER PROJECT REQUESTS FOR THE WATER RESOURCES DEVELOPMENT ACT OF 2005

Wednesday, March 16, 2005

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, WASHINGTON, D.C.

The subcommittee met, pursuant to call, at 10:02 a.m., in Room 2167, Rayburn House Office Building, Hon. John Duncan [chairman of the subcommittee] Presiding.

Mr. DUNCAN. I will go ahead and call the subcommittee to order. Today the subcommittee is meeting to hear testimony from Members of Congress regarding their project requests for the Water Resources Development Act of 2005.

In the last Congress, the subcommittee developed legislation authorizing the Army Corps of Engineers' projects, and we passed that bill in the House by a vote of 412 to 8. That was after a very long process, with great work done by my Ranking Member, Mr. Costello, and we will always appreciate his work on that bill. Since that legislation was not enacted, we have given Members of Congress an opportunity to update their project requests.

I think for the last bill we had over 300 letters from Members and 400-and-something total requests, and we are getting about that many this time. We do have several Members who have requested that they be allowed to testify, and so we set up this hearing to allow them to do so.

We have some—we have at least Mr. Gilchrest, who wants to testify from the dais, so we will get to him in just a moment. But first we will turn to the very distinguished Ranking Member, my friend Eddie Bernice Johnson, for any statement that she wishes to make.

Ms. JOHNSON. Thank you, Mr. Chairman, for holding this hearing today on the Water Resources Development Act of 2005. This hearing marks the beginning of the process to authorize vital water resource projects for the U.S. Army Corps of Engineers, and the Corps is the Nation's premier water resources agency. The Corps' primary missions are to aid in the planning, design, construction and maintenance of the Nation's navigation and flood control projects and improvements, and projects for environmental and ecosystem restoration.

This committee has a long tradition of bipartisan support for the Corps of Engineers, and has worked diligently to approve water resources legislation on a biennial schedule. Unfortunately, however,

no water resource legislation has been signed into law since the year 2000, despite consistent efforts of the House.

In both the 107th and 108th Congress, the Committee on Transportation and Infrastructure approved water resource development legislation only to have these bills fail to reach the President's desk. I am hopeful that this year Congress will finally send a completed water resources bill to the President and that the President will sign this deal into law. A great number of vital projects for flood control and navigation improvement and environmental restoration await congressional authorization before they can begin.

We have waited too long for this legislation. It is time to finish the job.

Mr. Chairman, I am pleased that we have scheduled today's hearing to hear from our colleagues in the House and to learn of their legislative priorities for the Water Resources Development Act. I look forward to hearing from our witnesses so that we can have a better understanding and appreciation of their concerns. Thank you very much.

Mr. DUNCAN. Thank you very much, Ms. Johnson.

Mr. DUNCAN. Mr. Gilchrest.

STATEMENT OF THE HON. WAYNE T. GILCHREST, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. GILCHREST. Thank you, Mr. Chairman. I wanted to briefly run through some of our water requests.

Mr. DUNCAN. Okay.

Mr. GILCHREST. The first one is in a small community in Charlestown, Maryland, on the eastern shore of Maryland. It is a community of 11 homes. Those 11 homes have been there for decades and decades. Two things happened. One, there was a large development upstream from these 11 homes, which actually changed the floodplain, and it changed the hydrology, so that instead of there being a large area where the water could be absorbed, there were a number of impervious surfaces developed so that it changed the floodplain map that FEMA used to determine who was in the floodplain.

The other thing is a narrow culvert under a railroad bridge where that excessive water would back up because of the way it was channelized. What we are asking for is a $2 million buyout for those 11 homes. It would be a permanent deconstruction, and they are all voluntary sellers.

The other issue is a small lake that is dammed. It wouldn't be a lake if it wasn't dammed, and over the years there's been an accumulation of nitrogen buildup in the lake because of livestock. It continues to interfere with fish—a normal fish passage to be spawned in this tidal wetland, the forested wetland, so we would ask for an increase in the authorization for 206 aquatic restoration projects. It would be one of many great examples where you could take the nitrogen-laden mud out of that lake, take the dam down, bring back that natural forested wetland, which would be good for the fish, much better for the ducks, and a whole raping of other species.

The third one is the section 910, which is a pilot program that improves and helps the State with their construction and engineering design of water restoration projects—and I have a photograph here—Blackwater Wildlife Refuge on the eastern shore of Maryland, that the Corps of Engineers designed for the first time a way to restore lost marsh, and I would like to just pass this up to you. You can take a look at it, the Baltimore District of the Corps of Engineers. It is a fantastic project. They use dredge material as a beneficial use. They put that dredge material down. You see the complete restoration of that marsh area of thousands of acres. It is a great program.

The last thing, Mr. Chairman, is the Corps of Engineers is working on a native oyster restoration project in the State of Maryland. What they are doing, instead of restoring oyster beds, the Corps of Engineers is actually building oyster reefs the way they were 300 years ago, and in a way they are much more prolific and much more beneficial to cleaning the water, providing habitat for other species and so on. And so we are asking for that particular project for the Chesapeake Bay, an enormously positive $30 million for the oyster reef activities. It is not an oyster bar which will be covered by silt, which is subject to all kinds of degradation. It is an oyster reef that makes the oysters a lot more prolific, a lot healthier, and it is a much more natural ecosystem process for the Chesapeake Bay.

Thank you very much, Mr. Chairman.

Mr. DUNCAN. Thank you very much, Mr. Gilchrest. Those sound like very worthwhile projects.

I believe Mr. Bishop, or Mr.—who is first here? Mr. Salazar was first.

Mr. SALAZAR. Thank you, Mr. Chairman. I would like to make a brief opening statement.

I look forward to hearing from my fellow Members of Congress on projects that are important to their own districts and to work towards getting the Water Resources Development Act signed into law.

In rural Colorado, water is the lifeblood of our rural communities. Those of us who work the land every day understand the lack of adequate water, and it can be devastating. For those of us in the heartland, that drought is a national disaster and devastates local communities. I have made a lifelong commitment to uniting rural water users and to improving local water structure.

As a representative of the Third Congressional District, I have made a commitment to make sure that Colorado receives its fair share of Federal project funding.

Water is not a partisan issue. Rural communities need water. We cannot allow our work on defending water rights to fall apart because of partisan bickering. I look forward to working with everyone on this committee to help make sure that we take care of rural communities and their water needs.

Thank you, Mr. Chairman.

Mr. DUNCAN. Thank you very much, Mr. Salazar.

Mr. Brown.

Mr. BROWN. Mr. Chairman, I just want to commend you for holding the hearing today and for getting the bill moving again. I am

disappointed we didn't get it passed through the whole process last year, but I appreciate your leadership on this matter and look forward to working with you.

We do have a few projects we will talk to you about later. Thank you.

Mr. DUNCAN. All right. Thank you very much. Anybody, Mr. Bishop or Mr. Blumenauer, do you have a statement?

Mr. BLUMENAUER. Thank you, Mr. Chairman. I too appreciate being able to move forward. I have requests for floodplain and environmental restoration, but I won't take the committee's time with at this point.

But I do hope that we are going to be able to deal with some broader strategic issues in WRDA. We, I hope, will consider raising funding limits for the Continuing Authorities Program that was authorized and awarded in 1996. The limits for these programs are really too low to meet the demands of environmental restoration projects nationwide, which has impacts for me at home, and, I think, for others.

But I also hope that we are going to be able to continue our discussion and our focus on what some have termed—and I think appropriately—Corps reform, issues of independent review and mitigation. We had some reference to this earlier, but I think, Mr. Chairman, they need to have a high priority. I think there is a lot that we can squeeze out of existing resources.

In some of the painful hearings we have had here, we heard that some of the areas that cross-currents developed that were not good for the Corps or the public process. I think we can avoid those with a thoughtful program of independent review. I hope that we can look forward to strengthening these provisions.

Something that has been a deep concern of mine is the Corps' Principles and Guidelines. They really haven't been updated since 1983. Under your leadership, Mr. Chairman, with our Ranking Member, Ms. Johnson, we might be able to do something to beat their 25th anniversary.

It is a different world, as you well know. Some of the hearings that we have had before this panel, we have all come a long way. For us to be frozen in time, back in 1983, is just a missed opportunity and it invites problems that we don't need. So, with your permission, I hope we can move in that direction.

I will stop at this point, submit a statement for the record, but I wanted to get those two provisions in.

Mr. DUNCAN. Well, thank you very much, Mr. Blumenauer, you have been a very fine member of this subcommittee. The bill that the House passed went further toward Corps reform than we have ever done; some of those things are done by the Army Corps already, even though that legislation did not pass the Senate. But we have gotten encouraging words so far from the Senate, and I think we are on the verge of passing this bill this time.

Mr. Bishop.

Mr. BISHOP. Thank you, Mr. Chairman. I thank you and Ranking Member Johnson for calling this hearing and for allowing members to testify about important Army Corps projects throughout the country.

Last week we all had the opportunity to discuss the Army Corps' budget and the spending priorities the administration has set for the coming fiscal year, and I am pleased that now Members of Congress will have the opportunity to highlight important initiatives in their districts and throughout the Nation.

There are many initiatives that I hope are addressed as part of the upcoming Border Act, and I want to touch on a few of the most important proposals for my district. The Montauk Point Study Area, which includes the historic lighthouse commissioned by President Washington, is located on a bluff at the eastern end of the southern fork of Long Island. While the Montauk Point Lighthouse was originally built 300 feet from the eastern tip of Long Island, it now stands only 75 feet from the ocean.

It obviously needs protection from constant erosion. Over the past few years, this ongoing Corps project has become bogged down due to an unclear set of guidelines Congress established more than a decade ago. It is now appropriate to clear up any confusion on Congress's intent on projects dealing with single-user issues like Montauk, and I am hopeful that this subcommittee will work to incorporate the changes I have proposed.

In addition to dealing with the situation in Montauk Point, there are many continuing projects in my district that need to be reauthorized as part of the WRDA, and I will continue to work to assure that these initiatives, such as the Atlantic Coast Monitoring Program, are continued and completed on schedule.

It is important that we draft a bill that appropriately addresses the Corps' role in protecting our shorelines and safeguarding the environment while preserving the longstanding balance of the Corps' civil and military responsibilities.

So I appreciate your willingness, Mr. Chairman, and the Ranking Member's willingness to pursue a new WRDA Act so early in the 109th Congress.

Thank you very much.

Mr. DUNCAN. Thank you very much, Mr. Bishop. We had 400-and-something requests in the last WRDA bill, and we are going to have that many or more in this bill. Many, many Members have requested that they be allowed to testify in person, and we have got 15 scheduled today.

The first two are here with us, and we are very pleased to have the Honorable Paul Kanjorski and the Honorable Christopher Shays with us. Your full statements will be placed in the record. You can summarize if you wish to do so, but we are pleased to have you.

Mr. DUNCAN. Paul, you can begin your testimony.

STATEMENT OF THE HON. PAUL E. KANJORSKI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. KANJORSKI. Thank you very much, Mr. Chairman, and thank you for offering this opportunity to testify. I come before the committee today to discuss two public policy priorities in my district: (1) flood protection and (2) improvements in water quality.

The Susquehanna River runs through the heart of northeastern Pennsylvania in my congressional district. Of course, it is rather famous for its floods and pollution, and these projects relate to that.

First and foremost, I urge the committee to continue to support the flood control projects and the Wyoming Valley Levee Project, which is about 80 to 85 percent complete. We are in the last few stages of getting that done. Anything that the committee can do consistent with the language that I have submitted to the committee will be very helpful.

We also want to attach a Solomon Creek Flood Control Project to the Wyoming Valley Levee Raising Project. We have included language that—incidentally, this attachment did pass the 108th Congress in H.R. 2557, which you know, did not make its way through the Senate. So we urge the committee to maintain the Solomon Creek Flood Control Project in the new bill as it moves through.

Also, I would appreciate the inclusion of an authorization for the Bloomsburg Flood Control Project. What we are doing there is asking for an authorization, subject to the completion of the chief's report that will be finalized by the end of December. The Corps has assured me that they will complete that, and that would give us sufficient authorization to move on to design and construction.

Also, we have what is called the Nanticoke Creek Ecosystem Restoration Project. Nanticoke Creek is a substantially polluted creek that flows down into the Susquehanna River. Because of the size of the restoration, it needs individual authority, and I ask the committee to give that authority in the new bill.

We also have the Olyphant Flood Control Project, which is located in Lackawanna County, and it requires increases in authorization level, and we have submitted statements and information in accordance thereto.

The communities in my district lack the sufficient capacity to address some of these problems without the support of the Federal Government. One major problem that we are working with is handling combines sewer overflows (CSOs). In order to accomplish that, I have worked very closely with the Corps. We have provided language for Title II, section 219, of the 1992 WRDA Act and Title III of the 1992 WRDA Act. The submitted language will be instrumental in giving authority to move on to correct incredibly bad combined sewer overflow problems, not sizable in nature. We require that adjustment so that appropriations can be made under those two titles.

Finally, I heard our colleague from Maryland mention the Chesapeake Bay Environmental Restoration Project program. I am urging the committee to increase the authorization level significantly on that program, and particularly to relate to the committee that it is important. You may say the Chesapeake Bay is in Maryland, but I am from Pennsylvania. Well, I want the committee to know that 50 percent of the fresh water that flows into the Chesapeake Bay comes from the Susquehanna River.

I also may add, with embarrassment, that 50 percent of the pollution of the Chesapeake Bay, man-made pollution, comes from the Susquehanna River. So by increasing the authority level of the Chesapeake Bay Environmental Restoration Program, the Corps will be able to go upstream into the Susquehanna to take care of some of the really difficult problems.

Basically, Mr. Chairman, we have submitted papers to the committee with our requests and language changes that are necessary to accomplish all these ends. I want to thank the committee for its positive nature in taking this bill up. It is certainly essential. I agree with the statements I have heard from all the members.

Mr. Salazar, water quality is absolutely essential. We can't be bogged down in 1982 thinking. We have got to really advance, and I see the forward motion of this committee accomplishing that very thing. I want to take this opportunity to compliment you on your good works, and appreciate all the efforts you can give towards my projects.

Thank you.

Mr. DUNCAN. All right. Thank you very much, Paul. We don't ordinarily ask many questions of members, since we know you have such busy schedules, and we will have a chance to talk to you later on the floor if we need to. But if anybody has any questions or comments—but thank you very much for coming to be with us today. You are free to go.

Our next witness will be the honorable Christopher Shays. Chris, we are pleased to have you with us, and you may proceed.

STATEMENT OF THE HON. CHRISTOPHER SHAYS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CONNECTICUT

Mr. SHAYS. Thank you, Chairman Duncan, and Ranking Member Johnson, and all the members. This is a hardworking committee, and I will summarize and let your staff do the kind of background they need to on my requests.

I have three project requests:

One is we would like you to consider correcting a problem with the authorization in section 345 of the Water Resources Development Act. This act requires a 35 percent nonFederal share typically. It requires a 35 percent nonFederal share of innovative methods of dredging disposable material. Basically dredging is covered 100 percent, so this is almost discouraging our community to go with a more innovative, active approach, because you end up having to pay the 35 percent. If your folks would look at that, that would be helpful.

Second, I have a request from the Fairfield Harbor Management Commission. They would like to redesign the existing Federal navigation project in Southport. Basically, they would like to relocate the current boundary between the 9-foot Federal anchorage and the 9-foot Federal channel to approximately 850 feet downstream from its current position; in other words, approximately 850 feet of the existing navigation channel will become part of the 9-foot Federal anchorage.

Third, the Bridgeport Port Authority again would like to narrow the authorized Yellow Mill River channel from 200 feet to 150 feet.

We are providing water-dependent activities in our harbor, and the Derecktor Shipyards has a major complex there, and shortening this by 50 feet would enable them to carry out and do their job. It is my understanding that both the requests of the Fairfield Commission and the Bridgeport Port Authority, both of these requests have been supported by the Army Corps of Engineers.

Thank you very much.

Mr. DUNCAN. Thank you very much, Mr. Shays. Those sound like very important and worthwhile projects. Thank you very much.

We have now been joined by Dr. Boozman and Mr. Osborne. Dr. Boozman, do you have any statement or comment that you wish to make at this time?

Mr. BOOZMAN. I really don't have a statement. At some point I would like to address two or three projects.

Mr. DUNCAN. Go right ahead.

Mr. BOOZMAN. Thank you. I won't take a lot of time. I have been working with you and staff, you know, about these things. But I really have two or three things that are really important in our area; you know, really have looked for projects that we feel like are very important.

One of the problems that we have—it is not really a problem—but we are in a very rapidlygrowing area of the country. We are probably the fifth, sixth, fastest-growing region in the country. With many other areas, water has become a real problem. So one of the problems that we would like to do is take and dam up part of Lee Creek on Pine Mountain. Certainly that would provide a good deal of water, you know, for many years to come, and for many other reasons: flood control, recreation, fish and wildlife enhancement.

One of the other projects that we have worked hard to get authorized is a minimum flow initiative. Arkansas is blessed with a great deal of scenery and things, and has really become one of the better trout fishing areas in the country.

One of the problems that we have is the water coming through the turbines on the dam. You know, one day they are generating, the next day they are not. Sometimes you are being swept away by the water, sometimes you are not.

So we have worked really hard with the Corps. We have worked with our power producers and things to kind of negotiate how we would like to do that, and have really reached agreement there.

So those are the main things. One other thing, I mentioned this the other day in the hearing to the General as he was over here—we have a power—I guess a power plan on the Ozark lock and dam. You know, the turbines and things, they were designed in an area where they weren't, many years ago, where they were just inefficient.

Now they don't work, and we have got a tremendous amount of power potential that is just being wasted for a minimal amount of money, you know. We can get that up and running.

But we have a situation now where so much, you know, we have concerns of global warming, you know, things like that. This is such a clean form of energy, whereas the alternative is to use a coal-fired or a natural gas-fired production of energy. So that is another project that we would like to look at. So thank you very much.

Mr. DUNCAN. All right. Thank you, Dr. Boozman.

Mr. Osborne.

Mr. OSBORNE. Just a real brief comment. Those of us who reside in the Plains States are generally pleased with the accommodation the Corps and the Fish and Wildlife Service have reached on the

Missouri River. It seemed like a pretty good adaptation of conservation practices, and preserving the endangered species, plus flows in the river. So we want to make sure that that is in the WRDA agreement and we certainly appreciate the work that has been done there. But other than that, I have no further comments.

Mr. DUNCAN. All right. Well, thank you very much. As I said earlier, we have about, I guess, about 400 or more requests for projects in the bill. We had 15 Members who requested that they be allowed to testify here in person this morning, but we have got several of them running late. So we will be in a brief recess.

Mr. BOOZMAN. Mr. Chairman, does this mean that those of us who showed up will—

Mr. DUNCAN. Yes, those of you who showed up, your projects will definitely be included.

Mr. DUNCAN. All right.

[Recess.]

Mr. DUNCAN. All right. We will go back into session. There are a couple of other members on their way. We are pleased at this time to give Mr. Oberstar a chance to get his breath, and we will hear the testimony from the honorable Frank Pallone.

Mr. DUNCAN. Frank, we are pleased to have you with us and you may proceed and make your statement.

STATEMENT OF THE HON. FRANK PALLONE, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. PALLONE. Thank you, Mr. Chairman. I can't help but remember when I came to this room and I used to be on the committee—I hate to say how long ago it is now, I think it was 13 years now when I was last on the committee—and I would see my predecessors up there, Congressman Jim Howard and Congressman Bob Roe, both of whom I had such great respect for over the years.

I just wanted to talk to you about four projects under WRDA, if you would consider for authorization, each of which is in my district, and essentially along the coastal part of New Jersey. One is authorization of the South River Flood Damage Restoration and Ecosystem Restoration Project. I call it the South River Dam Project. Basically, it was the result of the 1993 storm, which was about the worst storm that hit New Jersey in a long time. That is over 10 years ago now, and we have moved forward with various stages, you know, for the design and the reconnaissance and all that on the project. The chief's report has been completed. There is a design agreement that has already been executed. The total cost is over $1 million. And so I would hope that you would consider that for authorization in WRDA.

The second one is Union Beach. This is one of the flood control and shore protection projects. It is a very low-lying area on the Raritan Bay, across from the City of New York. Again, looking back to the 1992 or 1993 storm when we had terrible conditions there, a lot of flooding—and, again, a chief's report is expected within the next month or two on that project, after which the Corps will execute a design agreement with a local sponsor. That is a $97 million project, and, again, very important to my district and the State of New Jersey.

The third project is a little different. It is called the Marlboro Township Watershed Project. It is something that Congressman Holt and I are requesting together of the subcommittee. This is an innovative program developed by the Corps' New York district office as part of an effort to involve smaller communities and constituencies that don't have the resources to develop a multistage Federal project.

It is based on a successful effort at Lake Champlain in Vermont and New York where the Corps set up the framework with a lot of local communities to implement small watershed restoration projects without getting repeated authorizations or funding from Congress. Again, if you would consider that, I would certainly appreciate it. It is a very innovative program, and it is shared by myself and Congressman Holt.

Finally, on a programmatic note, I wanted to request that WRDA include modifications to annual funding limits on the Continuing Authority Program, the CAP program. These CAP funds which are, you know, small funds really, not a lot of money, small projects, but they are vitally important to communities across New Jersey. We have a lot of very small communities in our State, and the CAP programs have frequently been oversubscribed. So I am urging you to increase the ceiling on section 205, the Small Flood Control Projects, section 206, Aquatic Ecosystems Restoration, and section 1135, Environmental Improvement Projects, to 75 million. I would also like to see the ceiling increased to 20 million on section 14, Emergency Stream Bank Protection, and to 50 million for section 107, Small Projects for Navigation. I personally in my district have relied on the CAP program quite a bit, and I think it is time that we see some increases in the authorization level.

Thank you again for all you do. I know how important these and other projects are to my district. I appreciate the time that you spend and the fact that you give us an opportunity to testify.

Thank you.

Mr. DUNCAN. Well, Frank, thank you. Frank and I were sworn into Congress on the day after the election in 1988, and because of alphabetical order I have always been one number higher. But now you are talking about moving possibly to the Senate, I see.

Mr. PALLONE. Well, we will see. We have a Governor's race we have to get over first in New Jersey, but it looks good.

Mr. DUNCAN. All right. Well, thank you very much.

We are always pleased to have the Ranking Member of the full committee, Mr. Oberstar here. No one knows the work of this committee, I don't think, any better than Mr. Oberstar.

Mr. Oberstar, we will call on you for any comments or statements that you wish to make at this time.

Mr. OBERSTAR. Thank you very much, Mr. Chairman for those gracious words. I greatly appreciate your leadership, previously on the Aviation Subcommittee, and now in Water Resources, where you have given your characteristic judicial and thoughtful consideration to the subject matter before the committee, and we are grateful for the leadership you have demonstrated.

This marks about 42 years that I have served on this committee as a staff member and as a Member of Congress. I worked with every one of the members portrayed in the portraits around this

room. Never have we gone this long without a Water Resources Development Act being enacted into law and implemented for the good of the country.

The earliest charge of the Constitution was to the Congress, to this committee, to the first committee of the U.S. House, to build post roads and to develop the internal waterways and navigation system of the Nation. Seventy-five percent of the population in the country lives along the water. Most of our Nation's major cities were ports before they were major cities. Only two major metropolitan areas in the country are not located along a waterway.

It is the most vital responsibility in this country to develop the most energy-efficient and the most economical means of moving goods. We once also moved people by this most efficient means, the waterways.

Now you, Mr. Chairman, and the Chairman of the full committee, Mr. Young and I and the rest of us, have done our job. We have reported dutifully the necessary legislation to invest in America's water resources development. But the other body has failed to come to a resolution. We haven't even gotten the conference.

We welcome and are grateful for the testimony of our colleagues. I enjoin each of them to appeal to their Senators to move this legislation. Let us not get bogged down on nitpicking issues—some of which are very important—but in the fine details; we could have had these matters resolved in the conference, got the bill enacted, and be attending to the appropriations yesterday.

Just by accident, I happened to see our former colleague, John Myers from Indiana, Mr. Chairman, former ranking Republican on the Water and Energy Appropriations Subcommittee. We spent a good deal of time lamenting the inability to move this legislation through the other body and how the comity and reciprocity of earlier years resulted in successful legislation.

I don't know of a Republican levee or a Democratic lock or any other partisan piece of our waterways. They are all American investments. We have got to make those investments for the good of this country and move our goods in this country and keep our economy competitive.

So I welcome the testimony of our witnesses, and I urge them to reach across the gulf between this and the other body and help us get this legislation enacted.

We can move it through the House, but we are not going to be able to invest in America if the other body doesn't cooperate with us. The Columbia River Channel needs to be dredged 45, even 50, feet. It is the second-most important grain export artery in America. For wheat, that locks and dams on the Mississippi River are—with the exception of Lock and Dam 26—stuck to the largest lock in the 1930s. Tolls have to be broken up, costing as much as 8 to 12 hours delay, and huge costs with container vessels calling in our ports with the Chinese Shipping Company now moving to 9,000 container-sized vessels. The only two ports they can put in the United States are on the West Coast.

Because of the lack of capacity in our rail systems, those cargos have to be broken up on smaller ships and moved through the Panama Canal, the Gulf, and up the East Coast waterways. We need to deepen our East Coast ports, we need to deepen the Gulf ports.

We have got to invest in the America waterway. We have got to move America ahead. That's the purpose of this committee, and I thank you very much, Mr. Chairman.

Mr. DUNCAN. Thank you, Mr. Oberstar.

As you know, we did pass the WRDA bill in the House, although we do have to get some action out of the Senate.

Mr. Pallone, we don't normally ask Members questions in this subcommittee because we know you have such a busy schedule and we will have a chance to talk to you about these things on the floor, unless somebody just calls that to my attention. So we will let you go, and our colleague, Dana Rohrabacher, is next.

Mr. PALLONE. Thank you.

Mr. DUNCAN. Dana, you go ahead with your statement.

STATEMENT OF THE HON. DANA ROHRABACHER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. ROHRABACHER. Thank you, Mr. Chairman, and Ranking Member, and Mr. Oberstar, of course.

There is a second item I am talking about that I am very pleased you are here to listen to because I haven't had a chance to talk to you personally about it, but I think it is something you would be interested in and the whole committee would be interested in.

Mr. Chairman, I thank you for the opportunity to testify today. There are two items I wish to address: a stormwater infrastructure project at Huntington Beach, California, and, second of all, a legislative provision which will provide a better way of improving port infrastructure.

In Huntington Beach, California, the stormwater infrastructure is, in many cases, over 40 years old and badly in need of improvement or replacement. This last February, California suffered through what experts call a 100-year flood event, and it was to be a whole lot of rain. I sat on my front porch and watched it rain for days and days in California. That does not happen very often. While the flood control systems did work and they did their job, it was evident, however, that there is still a major challenge that we face in my area in southern California.

The storm exposed southern California's inability to control urban runoff in storm conditions. The current infrastructure, obviously, could not protect Huntington Beach from health-threatening pollutants carried downstream with rainwater. Sewage pump stations were overwhelmed by the volume of water. Some of them simply shut down due to power loss, causing millions of gallons of untreated wastewater to be released into the rivers and ultimately into the Pacific ocean, fouling the water for days and weeks and contributing to a health problem, or at least a health threat, to the people who live on the coast.

Clearly, we need to vastly improve the water infrastructure that we have. Huntington Beach and other surrounding areas sit like a narrow funnel at the end of three rivers in a vast network of drainage channels, where polluted urban runoff from hundreds of square miles consolidate right there at the coast. The dynamics of this system assure that if a downstream system in Huntington Beach fails, then massive amounts of polluted urban runoff and raw sewage

from all over southern California are dumped right into our coastal waters.

Stormwater infrastructure repair and upgrade in Huntington Beach will remedy this situation. Specifically, the addition of pump stations, increasing the capacity of existing facilities and improving stormwater conveyance will provide the residents of Huntington Beach, and, as I say, all of southern California, the safeguards needed for flood protection and the delivery of clean drinking water and the preservation of the cleanliness of our Pacific coastline. For these reasons, I urge the inclusion of this request in the WRDA bill.

This leads to the second part of my testimony, which is basically a suggestion that I have—and, as I say, I am glad Mr. Oberstar is here, because it goes to a fundamental reform that I would like to see considered here in Congress. As Members of Congress, any one of us can identify hundreds of projects that are worthy of support by this Congress. Just as I have been here testifying, there are billions of dollars that could be spent in worthy endeavors, yet we struggle to come up with the money.

Somehow, along the way, Congress has stopped asking, you know, how are we going to pay for these things, these improvements. Well, that has to be part of the question today, because we know we don't have the resources to take care of all of these things. The Federal Government is currently running a deficit in the neighborhood of half a trillion dollars a year. Thus, we need some creative approaches to finding new sources of revenue.

It is against this reality that I request the provisions of my bill, H.R. 494, be included in the WRDA bill, and this allows U.S. ports to levy fees on a per-container basis, and that money would then be available for the projects that we are talking about, and this would be included in a WRDA bill. Our Nation's ports are among our Nation's most significant infrastructure assets. The ports of Los Angeles and Long Beach, for example—and those are in my district—handle nearly half the goods imported in the United States. Trillions of dollars' worth of foreign-manufactured goods are transported through our ports and into the American market in order to compete with domesticallymanufactured products.

Yet, almost without a question, we continue to appropriate money for the expansion, upkeep, and maintenance of these facilities. We are essentially subsidizing the companies in China and in the rest of the world so they can move their ships and their goods more easily to our shores while domestic companies are being taxed to pay for the bill.

This is a bitter irony to many embattled American manufacturers, that their tax dollars have paid for the transportation costs of their foreign competition. This amendment which I am suggesting today will allow ports like those in Long Beach and Los Angeles to levy a fee on each container that is processed by those facilities. This is just containers; this isn't shiploads and other things, this is a container fee.

By the way, there are no container fees now. We are picking up the entire cost, our taxpayers, of shipping these containers through the system that we built for them. The proceeds from this fee must be used for the security and infrastructure improvements at the

port, alleviating at least a portion of the Federal burden of these improvements.

This provision is a true user's fee. It permits the port facilities to charge people or receive the benefit, which is access to our markets with their goods. I am in favor of a vigorous free-market strategy, but a free-market philosophy does not require the United States, to our own detriment, to subsidize, access to foreign companies to our market.

These Federal subsidies to the Nation's ports often benefit companies that employ slave labor, like in China; and basically, some of these containers rewarded with goods are manufactured by companies that are in partnership with the Chinese People's Liberation Army.

I say we should not be subsidizing this, and this money instead should be made available to work on these capital programs. So this is not good form to permit the current situation.

I am losing my voice. But let me just say that having a port fee also is a self-regulating authority, because if ports charge too much, they will lose customers, so it is a market-based concept.

I would ask—before I lose my voice, I will submit it for the record and hope that you would consider this creative alternative.

Mr. DUNCAN. A very good proposal.

Mr. Oberstar.

Mr. OBERSTAR. Mr. Chairman, I would like to engage the gentleman. He is losing his voice, he doesn't have to respond. Your testimony is prescient. However, the idea of a container fee was one that I advanced 4 years ago in consideration of the Port Security Act.

The Senator from South Carolina, Senator Hollings, joined with me in the House-Senate conference. We had a majority of conferees in support of a container fee whose proceeds to be used exclusively for security needs at ports—not for equipment, not for trains, not for truck, or any other kind—but a true fee, a charge imposed to support the service for what the charge is imposed. The White House vigorously opposed it.

In order to get the security bill, the port security bill passed, Senator Hollings and I agreed to withdraw on representations for the White House that that would work. ″they were called to work with us,″ close quote, to reach a financing mechanism. Never did. It hasn't happened.

Mr. ROHRABACHER. Well, I am looking forward to working with you.

Mr. OBERSTAR. I know that the gentleman has great access to the White House, and I would encourage him to use his good offices to prevail upon those who may reason rightly at the White House and work with us to develop a container fee.

There are more than 11 million containers entering the United States each year; $365 billion of goods come into California ports for distribution, 70 percent of which goes to the rest of the United States. China is engaged right now in a $200 billion investment program, doubling the capacity of their ports. We can do no less. And I think that the container fee, divided among the security needs and port infrastructure needs, would be a splendid resolution.

Mr. ROHRABACHER. Well, I appreciate—

Mr. OBERSTAR. We have also tried in the past, though, I would advise my colleague—in fact, is it the gentleman, Mr. Roe, former chairman of the full committee—to use part of the customs duties, 95 percent of which are collected at U.S. ports, for port development. That has always been vigorously opposed. The container fee is of a different nature.

Mr. ROHRABACHER. Mr. Chairman, I see this is a bipartisan issue.

Mr. DUNCAN. It is something we will take a look at it. We will go into more detail at another time. We have many other Members who wish to testify.

Thank you very much, Dana. Everyone's full statements will be placed in the record. So you can summarize.

Mr. DUNCAN. Next is Mike Castle; our friend, Mike Castle. Mr. Castle, I notice that you have got like 10 requests. We will help you all we can, but if we put that many requests in there, we will have to name this bill after you.

Mr. CASTLE. I sort of suspect that is not going to happen, Mr. Chairman.

STATEMENT OF THE HON. MICHAEL N. CASTLE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF DELAWARE

Mr. CASTLE. Mr. Chairman and Ms. Johnson, I am only going to talk about one of my requests. I do thank all of you for being here today to give me an opportunity to talk to me about my water resources projects in Delaware. As I have indicated, I have elaborated on only one here, although we have other requests which are in it. The one I want to talk about is the creating of a recreational area surrounding the Chesapeake and Delaware Canal.

The Chesapeake and Delaware Canal runs 14 miles from Delaware City on the Delaware River to Chesapeake City on the Chesapeake Bay, and is one of two commercially vital canals in the United States. The history, the wildlife, and the scenic views and the bridges of the canal are all great attractions.

A similar venue, the Army Corps-operated Cape Cod Canal, has served as a model for us to follow creating this new vision for the C&D Canal. I have toured the grounds of Cape Cod, and I believe the C&D has similar potential. It is also owned by the Army Corps of Engineers.

Mr. Chairman last year Chairman Hoekstra appropriated $150,000 in the energy and water appropriations bill to develop a master plan or blueprint for various recreational opportunities that exist along this unique canal.

Reflecting widespread support for this project, the Delaware Department of Transportation, the Delaware Department of Environmental and Natural Resources, and Delaware County of Newcastle each pledged $50,000, matching the current Federal contribution of $150,000. State agencies and organizations are currently compiling the capabilities of the land. It is the priority of all partners to maintain the wetlands and wildlife and natural infrastructure of this land.

With this information, we will conduct two public workshops currently scheduled for next month, April. The C&D team will hold these community workshops, both in Delaware and Maryland, in order to incorporate the recreational demands of the surrounding communities into the master plan. Based on community views, the top recreational options for the canal will be presented from October of 2005. By December the master plan will outline the steps to tap into the full recreational, cultural and historical and environmental value of the C&D Canal.

To assist in the creation of a recreational area surrounding the Chesapeake and Delaware Canal, I respectfully request that construction authorization be granted to the Army Corps to begin construction on the Corps-owned land along the C&D canal. Wtih its authorization, Delaware and Maryland may share in the stewardship of the land with the Army Corps of Engineers. Together we can work to realize the full recreational, educational, and environmental value along the C&D canal. I have seen firsthand there is great support, unanimous support, I might add, within the States of Delaware and Maryland. I truly believe the entire mid-Atlantic region can benefit from recreational development of the C&D Canal.

I thank you for your consideration. I would just point out, all of this is about 2 hours from here so all the members of the committee, all the staff here, could enjoy the benefit of this if we get it done.

Mr. DUNCAN. Thank you very much. A very reasonable request. We will try to work with you all we can.

I would like to apologize to the members. We have votes starting. We will let everyone else go except Congressman Foley. We have time to get your statement in. The rest of you we will do when we come back from the votes.

Mr. Foley, you can begin yours.

STATEMENT OF THE HON. MARK FOLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. FOLEY. Thank you very much Mr. Chairman, members of the subcommittee. I want to thank you for holding this hearing on the Water Resource Development Act. It is extremely important that I come before you today and respectfully request that the Indian River Lagoon South, the IRL, be included in this year's Water Resources Development Act.

The IRL is the first Comprehensive Everglades Restoration Plan project requiring congressional authorization. When Congress passed CERP, we reaffirmed the Nation's commitment to America's most imperiled national treasure, the Everglades.

For almost 45 years, there has been a steady stream of clear and compelling scientific data detailing the perilous state of the Everglades. There are unnatural levels of fresh water in our estuaries, lesions on our fish, deposits of muck and phosphorous in our lakes and canals, and the decline of wading birds. I have some sampling material here to show you what is exactly finding its way into our beautiful Everglades that needs immediate attention.

CERP represented a historic partnership between all stakeholders. Finally, Florida agricultural interests, the Administration, util-

ities, the State of Florida, Indian Tribes, and environmental groups came together in an unprecedented show of cooperation to develop a plan that would protect and preserve our ecosystem. It built upon the initial commitment we as Congress made, at my request, to provide 200 million in Federal funds for Florida's Everglades restoration efforts back in the 1996 farm bill.

The Indian River Lagoon is a 156-mile long estuary located at the mouth of the St. Lucie River in Martin County, Florida, which is part of my district. It is home to more than 4,300 species of plants and animals, and supports an annual economic contribution of more than $730 million.

Mr. Chairman, we are now at a crossroads and timing is critical. The Indian River Lagoon Plan-South is responsible for critically addressing environmental abuses visited on the St. Lucie River, the Indian River Lagoon, and Lake Okeechobee by the old Central and Southern Florida Flood Control Project.

A favorable Chief of Engineers Report was issued on August 6th of 2004. The formal review by the Department of the Army is nearing completion. Last year the Senate division of WRDA included the IRL, but Congress adjourned before there was an opportunity to work out differences with the House version. When the House WRDA bill passed in the Congress, IRL was not ready for inclusion in that legislation. It is now.

And my constituents of Martin County have been extremely instrumental in their support of the project. Not only did they organize numerous rallies and write thousands of support letters, but they also voted for a 3-year $0.01 sales tax on themselves to contribute over 50 million in revenue for the plan itself.

The U.S. Army Corps of Engineers, Jacksonville District, did a tremendous job working in conjunction with its partner, the South Florida Water Management District, finishing the final project implementation report for the IRL last year. I would like to commend Colonel Carpenter and Henry Dean, executive director of South Florida Water Management District, and their staffs, for their incredibly hard work.

Mr. Chairman, we cannot wait one moment longer to authorize this project. It needs to occur this year. The success of CERP depends upon it, and I believe we should not falter in our commitment to it. I thank the Chairman for his indulgence and the opportunity to speak today.

Mr. DUNCAN. Well, Mark, yours is a very important project. It is one of the three biggest or most expensive in this bill. We have already gotten word from the White House that they are wanting us to try to hold down some of the costs, or they have expressed some concerns about that. But we will try to work with you. You work with the White House, though, some too.

Mr. FOLEY. And I will be working with Governor Bush, who happens to have a relative living there at 1600 Pennsylvania Avenue.

Mr. DUNCAN. All right. Thank you very much. We will be in recess for these votes.

[Recess.]

Mr. FORTUÑO. [Presiding] Good afternoon, we are coming back to order. The Chair will recognize for 5 minutes Mr. Carnahan to make a statement. Are you ready for that.

Mr. CARNAHAN. Yes.
Mr. FORTUÑO. Please do so.

STATEMENT OF THE HON. RUSS CARNAHAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MISSOURI

Mr. CARNAHAN. Thank you, Mr. Chairman, and fellow members of the committee. I am pleased to be here today. I want to—I am fortunate to have leadership here in the committee that recognizes the importance of these projects to our country and to our districts back home.

The district that I represent borders the Mississippi River, and our city is at the confluence of the Missouri and Mississippi Rivers, so rivers and water resources are very critical and important to our region.

The economic and environmental health of the river, the riverfront, are of utmost importance. That is why I requested the St. Louis Regional Greenways Proposal as part of the WRDA hearing today. This proposal is a broad-reaching attempt to improve the quality of life of St. Louis and the people of our State by developing the greenways and natural areas connected by parks and trails.

The proposal is an authorization request for Corps of Engineers projects included in eight local greenway plans, including projects in the city of St. Louis and St. Louis County, as well as counties in several other of my colleagues' districts. The project has many environmental benefits that will conserve natural resources such as improving water quality in our waterways, preserving open space and protecting natural wildlife habitat.

It will also improve public and disabled access to parks, open space, and waterways.

In addition to the environmental impact, the development of these greenways will also boost economic activity. The realized benefits will include creating new outdoor recreation opportunities and will attract large numbers of new tourists. Further, we believe that the project will stimulate new commercial and residential development, as well as attract new businesses resulting in the creation of both new jobs and new residents.

We have seen prior developments of these areas have also been a big factor in turning around the population decline in the city of St. Louis that recently announced, for the first time in 50 years, that the population had begun to increase in our city.

The proposal has very strong regional support from all areas of the community. Local government and nonprofit groups, area business leaders, are collectively in support of the greenways development. This is shown by the fact that we already have more than $75 million in State and local public, private, and nonprofit investment in projects that are part of the local plans included in the St. Louis Regional Greenway Proposal.

Now let me turn to the specifics of the overall plan. The greenway plans are focused on preserving open space and natural wildlife habitat, improving the water quality of our rivers and streams, and for providing outdoor recreation opportunities. To achieve these goals, to fully develop a regional greenway system, the proposal allows local government and nonprofits to partner with the Corps on several different projects. One of the most important will

involve the restoration of fish and wildlife habitat. We will also see an improvement to public access to the Mississippi and Missouri Rivers, as well as other rivers, streams and waterways in our region.

In addition, there will be development of aquatic recreation areas and waterways, as well as regional trails and other connectors to link these greenway improvements.

I would like to highlight two of the projects that could result from this bill. First, is Chouteau Lake and Greenway. Through this we will see the development of the waterway and surrounding greenway system, which will be the focal point of the city of St. Louis. The Chouteau Lake system will partially restore an urban stream and watershed dating back to the pre-industrial era. The greenway will act as a filter and cleansing system for stormwater running and draining into the lake system.

Another project I would like to share with you is the River des Peres Greenway. Currently this River des Peres area looks like a giant concrete ditch, but this project will reconstruct the River des Peres Greenway from the Mississippi River to Deer Creek . This greenway development would include environmental restoration and park projects along the new trail throughout the greenway.

I want to thank the committee and its members and its leadership for their time and consideration.

Thank you, Mr. Chairman.

Mr. FORTUÑO. Thank you, Mr. Carnahan.

We will proceed in the order in which the members arrived today, as requested by the staff. That would mean, if that is okay with you all.

The next one will be Mr. Jindal from Louisiana. Mr. Jindal, you have 5 minutes.

STATEMENT OF THE HON. BOBBY JINDAL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF LOUISIANA

Mr. JINDAL. Thank you, Mr. Chairman, I also want to thank Chairman Duncan and the entire subcommittee for allowing me to appear today.

I come to talk about an issue of great importance not only to my home State, but also I think our entire country, and that issue is coastal erosion. It is not just a problem for Louisiana, it is a problem that if we leave it unchecked, the cultural, economic, and environmental implications would be devastating, again, not only for Louisiana but for the United States and for the world.

This committee has taken action before, and I am here to urge you to take additional steps, even more aggressive steps in confronting this challenge. Through a combination of wetlands disintegration, barrier-island erosion, sea level rise and land subsidence, my own State is losing 25 to 30 square miles of coast land every year. Every year we are losing 25 to 30 square miles of coast land.

The southern quarter of Louisiana is disappearing at an alarming rate, the equivalent of nearly two football fields of land, every hour, 365 days a year. Louisiana has lost nearly 1,500 square miles of coast over the last 50 years. We will lose another astonishing 1,000 square miles in the next 50 years if we don't adopt aggressive

corrective measures now. That is an area larger than the size of the State of Rhode Island, the direct impact of coastal erosion.

As we continue to lose our coastal wetlands, they continue to be eroded. As our communities continue to continuing to lower levels, the risk of the overwhelming damage from storms, from hurricanes, will only increase. I myself had to evacuate my own home this past year for fear of a hurricane coming up the Mississippi River.

Already coastal Louisiana towns like Leeville and others are flooded from relatively small storms that would have had very minimal impact just 20 years ago. New Orleans, which is already at an elevated risk from hurricanes, is experiencing an increased level of risks every year if this problem is not addressed. Houma, Lafayette, Lake Charles, and many other cities and towns below Interstate 10 aren't far behind.

Without a significant slowdown in the rate of coastal land loss, many of our families will lose homes and land that have been in their families for generations. Many of our grandchildren will never be able to see where their grandparents grew up, because entire towns will be underwater.

Even more important to homeowners, we are going to see property insurance rates continue to skyrocket in towns across coastal Louisiana. The impact of coastal erosion on our economy cannot be overstated. I don't mean Louisiana's economy, but the Nation's economy. Roughly 20 to 25 percent of the country's oil and natural gas flow through our coastline, much of it through pipelines and other infrastructure that has not been designed to withstand open water constructions. With further erosion for wetlands, this infrastructure will be placed at an increasingly high level of risk of damage from severe weather.

Our Nation would share that economic loss in the form of higher gasoline and natural gas prices, less energy security, and billions of dollars for disaster recovery. Already, FEMA routinely spends hundreds of billions of dollars to salvage these Louisiana towns—recover from hurricanes and floods.

The result is economic catastrophe for our State and our Nation, which will lead to much higher gasoline and natural gas prices, severe damage to our petrochemical industry, and the loss of much of our State's $20 billion oil and gas export business.

We have all been impacted by the rising cost of energy. These storms, these hurricanes, will only increase that cost. Commercial and recreational fishing along our coastline, including shellfish and fin fish, will also be at risk. That currently represents 30 percent of our Nation's fisheries' catch. As the Gulf of Mexico and its saltwater encroach into freshwater marshes, we will lose many of these grounds forever. Sport fishing, which is a huge part of our tourism industry, could also collapse.

I want to turn to the environmental impact. The environmental value of our coastal areas is significant worldwide. The ecological significance of our wetlands, of our marshes, is also suffering from continued rapid coastal land loss. These resources can't be replaced if lost. Increased oil spills are likely, due to the exposed infrastructure, delicate ecosystems, that will be disrupted by salinity, increased wave action. These are ecosystems that provide the wintering habitat for many migratory birds. These will continue to be

gradually eliminated, decreasing bird populations across northern America.

There is much that Congress can do, much that this committee can do. We would ask that saving our coast to become one of the highest, not only economic, but environmental priorities of our Nation.

Off of our coast, over $5 billion a year is generated for the Federal Treasury, due to off-coast drilling exploration for oil, and we think that some of these moneys should continue to be reinvested in restoring and preserving our coast. Current estimates of a 20- to 30-year plan put the cost at $14 billion. There are signs that many of our efforts have worked through use of sediment materials and shoreline and protection.

We have many requests before this committee. I am just here to urge you to continue to help our State. It is important for Louisiana and preserving our coast. It is also important for preserving our Nation.

Thank you Mr. Chairman.

Mr. FORTUÑO. Thank you, Mr. Jindal.

Going down our list, the next one will be Ms. Miller.

STATEMENT OF THE HON. CANDICE MILLER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mrs. MILLER. Thank you, Mr. Chairman, to have the opportunity to meet with the committee today. I appreciate your interest in my particular request, and I ask the committee for consideration.

I do have a statement. I will, without objection, just put it into the record and try to summarize here what the request is that I lay before the committee today.

I am from the State of Michigan, also known as the Great Lakes State. It is great in Michigan, because you always have a map of your State on the end of your arm. We always hold up a mitten and say, ″We live here, we are here, we are here.″ but the Great Lakes, of course, comprising fully one-fifth of the fresh water supply of the entire planet—of the entire planet—is a huge economic impetus for us; it is our very identity, it is everything to us.

In the 1960s—I think 1964—the United States Army Corps of Engineers undertook a huge dredging operation in the St. Clair River, which is a river that goes between Lake Huron, Lake St. Claire, out into Lake Erie. They did this with an idea of opening up the upper Great Lakes for shipping. It has worked extraordinarily well.

However, there has been a theory bouncing around for years. Recently the theory has been solidified by a very highly regarded coastal engineering firm called Baird & Associates out of Canada, who have undertaken a study—and the theory now is manifesting itself in some very strong language. It says because of the dredging in the 1960s and subsequent years, erosion and other dredging projects have happened in the St. Clair River, that has essentially pulled the drain plug in a bathtub on two of the Great Lakes, and those lakes are Huron and Michigan.

So even though we have had a great amount of precipitation in the last year or so, and the cycle now is to raise the lake levels, that is happening everywhere except these two lakes, Lake Michi-

gan and Lake Huron, which are actually experiencing a much lower-than-average lake level. Of course, this is having a huge impact.

And so my request is for $2.5 million, which would be to the United States Army Corps of Engineers and the International Joint Commission, the IJC, because we do believe you would have to have Canadian involvement to actually create a 3D model of the St. Clair River. You know, if you are doing aeronautical engineering studies, you are using wind-tunneling. In the case of trying to understand how water is transiting, certainly a 3-D model would be extremely helpful.

If this theory is correct, it is imperative we understand whether it is happening or not. If you want to interpolate what they are saying, it would be 845 gallons of water that is actually being diverted and lost every day, just going out into the Atlantic Ocean.

If you can think about the cost of one of these bottles of water and then think about 845 million gallons of fresh water that is being lost each and every day, it obviously is something that is not just impacting a particular congressional district or even a particular State. It is a regional—a project of regional and national significance, and I certainly would ask the committee to give every consideration for this very reasonable request. I appreciate the time.

Thank you, Mr. Chairman.

Mr. FORTUÑO. Thank you very much.

If the other two members, if it would be okay with you, Mrs. Norton, who is a member of the committee, would like to make her statement. Ms. Norton, I will have to step out for a second for a vote. But if you can make your statement.

If for any reason I or somebody else in the committee is not here, we will have to have a recess so I can rush back. It is right here in the same hallway, but I just have to go back over there and vote.

STATEMENT OF THE HON. ELEANOR HOLMES NORTON, A DELEGATE IN CONGRESS, FROM THE DISTRICT OF COLUMBIA

Ms. NORTON. Thank you, Mr. Chairman.

I will certainly wait until you return. I appreciate that the committee has given members the opportunity to come forward and explain these projects so that we can understand what we are doing. I understand it very personally, because the Federal Government is the largest user of many of our utilities, including the combined sewer system that was built 162 years ago by the Corps of Engineers, and the reason it is a combined sewer system is because that is the way they did it then.

The Federal Government makes about one-third of the use of our sewer system. That means all of downtown Washington, all the Capitol complex, the kinds of places where we are today. Yet the Federal Government has contributed almost nothing to a $1 billion plan that the region is now in the midst of to overhaul this combined sewer system.

When I look at amounts of money that the Federal Government has given to jurisdictions throughout the United States to deal with combined sewer overflow, I am simply amazed. The Federal Government doesn't even use those systems, and yet sometimes

you see hundreds of millions of dollars that has been appropriated. I am all for that.

But if you are going to use this system, then it seems to me that the Federal Government ought to contribute to the billion-dollar overhaul that is now underway as more than a ratepayer—and that is about all that the Federal Government has done, except for token amounts. I appreciative of those amounts, but they don't begin to meet the problem.

When there is a storm, a rainstorm, what happens? The way the sewer system works is that it overflows, sending sewage that is to say raw waste—into the Potomac River, where we get our water; the Anacostia River, which flows literally within sight of the Capitol and is one of the most polluted rivers of the United States; Rock Creek, which we know from those who have been to Rock Creek Park; and, of course, the extraordinary wonder that is the Chesapeake Bay.

The Federal Government has a vested interest now in dealing with this problem beyond its use of the sewer system. The Federal Government is in the midst of a massive development on the Anacostia waterfront, which is polluted from the stormwater overflow. The Department of Transportation Building is under construction now.

The Southeast Federal Center, perhaps the most valuable parcel of land on the East Coast, owned entirely by the Federal Government, is now under development.

The Navy Yard has moved its very important and secure high-tech tech facility from Crystal City to a new and renovated Navy Yard. So there, the Federal Government is on the banks of one of the most polluted rivers in the United States, polluted because of stormwater overflow.

I therefore ask for $150 million, a small contribution toward beginning to really make a dent in this $1 billion job that needs to be done.

I might add that the District has some interest in this. It has an Anacostia waterfront initiative, far smaller than the initiative of the Federal Government. For those Members who will be going to baseball games, the baseball stadium is not on the river, but it is close enough to smell the Anacostia, and I think it is time we did something about it.

I very much appreciate the opportunity, Mr. Chairman, to speak about my own request at this time and yield back.

Mr. FORTUÑO. Thank you, Ms. Norton.

Mr. McGovern, thank you for being so patient. You have 5 minutes.

STATEMENT OF THE HON. JAMES P. McGOVERN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. MCGOVERN. Thank you, Mr. Chairman, for your patience and your willingness to listen to our riveting testimony. I was on this committee before I got on the Rules Committee, and I remember sitting here listening to all the Members come before you. But I appreciate the opportunity to present this testimony and to explain two projects of vital importance in my district.

First, I ask you to support the John H. Chafee Blackstone River Valley National Heritage Corridor. The subcommittee can support this project by amending a prior authorization in the Water Resources Development Act of 1996 to allow for planning, design, and construction funding to be made available. This project is part of an ongoing urban neighborhood revitalization in the city of Worcester, Massachusetts and the surrounding region. The main purpose of the project is to reopen and recreate sections of the historic Blackstone Canal.

The Blackstone Canal first opened in 1828 and served to spawn the industrial revolution of the city of Worcester and, indeed, across the United States. Over time, sections of the canal were filled in, and/or buried, as rail became the primary means of moving goods. This particular neighborhood has suffered blight, as many of the industrial properties within the neighborhood have become vacant and derelict. This canal project has spurred new investment in the area and has the potential to serve as a catalyst for further economic development and growth.

A professional feasibility study of the canal project was completed in June of 2003 and estimated the total project costs at $20 million. The State's 2004 transportation bond bill included funding for the project, which could ultimately serve as a local match to the Corps' participation. I would be happy to provide the subcommittee with excerpts of the feasibility study, if you like, but I respectfully request that you support the request for the John H. Chafee Blackstone River Valley National HeritageCorridor, and thank you for your consideration of this project.

Second, I would like to ask for support of the project for navigation of the harbor of Fall River, Massachusetts. The subcommittee can support this project by continued authorizing that the depth of the portion of the project extending riverward of the Charles M. Braga, Jr. Memorial Bridge in Fall River and Somerset, Massachusetts shall not exceed 35 feet.

This request would complement the city of Fall River's comprehensive waterfront redevelopment master plan which includes a marina on the Taunton River. The redevelopment of the waterfront will attract new marine traffic to Fall River Harbor, and this continued attraction is necessary to accommodate additional marine traffic within the Taunton River.

I urge you to support this request, and appreciate your attention and thank you again for your time.

With that I yield back my time. Thank you.

Mr. FORTUÑO. Thank you, Mr. McGovern.

Shall we proceed then with Mr. Allen? You have 5 minutes.

STATEMENT OF THE HON. THOMAS ALLEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MAINE

Mr. ALLEN. Thank you very much, Mr. Chairman. I appreciate the opportunity to testify on the Camp Ellis project on behalf of my constituents in Saco, Maine. I also want to thank the subcommittee for its past support of this project. In the 108th Congress, the subcommittee included a $10 million authorization for Camp Ellis in H.R. 2557. Unfortunately, that project has changed since 2003, and my request has increased substantially to $25 million.

In 1867- - not 1967—in 1867 an Army Corps jetty was constructed to protect the Saco River's navigation channel at Camp Ellis, a seaside village within the city of Saco. Since that time, the jetty has been lengthened, strengthened, smoothed and raised, exacerbating shoreline erosion, while protecting the channel. The State geologist has told me that the beach erosion problem in Saco is by far the most severe in the State.

Over the past 60 years, 36 homes have been washed out to sea. Currently, homes that were once six rows back from the shoreline are in danger of being destroyed. During winter nor'easter storms, parts of Camp Ellis often become an island, and residents fear not only for their homes but for their lives. You have to be there to understand that. These dangerous conditions are caused by a structure erected, improved, and maintained by the United States Government. For that reason, I believe that the Federal Government must do everything possible to alleviate this situation.

For the past 5 years, I have been actively involved with a broad coalition of Federal, State, and local officials, as well as Camp Ellis residents, all of whom are dedicated to fixing the Camp Ellis erosion problem. The members of the coalition have all agreed to a plan recently proposed by the Army Corps. I have been very pleased with the performance of the Army Corps. They have just done a terrific job.

The Army Corps proposes to build a spur jetty off the existing jetty. Although the original plan had included a breakwater in conjunction with the spur jetty, geologic conditions, namely 40 feet of clay under the water off Camp Ellis, would make a breakwater prohibitively expensive.

In fact, the cost estimates for the spur jetty have risen since I last made this request in 2003, due to geologic conditions underwater and the studies necessary to design an adequate structure to mitigate the erosion. That is why I am asking for a $25 million authorization instead of the $10 million authorization.

But that $25 million would allow the Army Corps to finish its design studies and models, build the proposed enhanced spur jetty, and to renourish the eroded beach. That figure also accounts for previously conducted studies and models. The residents of Camp Ellis are justifiably, in my opinion, angry at the Federal Government for not fixing a structure that it built and that is destroying their homes. They have seen this problem studied over and over again for more than a decade and are losing patience.

However, I would not feel comfortable asking the subcommittee to support a project unless I believed that it would permanently restore the beach and prevent further erosion and property loss. The plan developed by the Army Corps, the State of Maine and the city of Saco, in consultation with Camp Ellis residents, is the best plan to mitigate the damages caused by the Corps' jetty.

However, without congressional authorization, this plan will not go forward. I would ask for your support of this important project. I want to thank the subcommittee again for its past support of this project and for the opportunity to appear before you today.

I yield back my time. Thank you, Mr. Chairman.

Mr. FORTUÑO. Thank you, Mr. Allen.

Mr. Holt, you have 5 minutes.

STATEMENT OF THE HON. RUSH D. HOLT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. HOLT. Thank you, Mr. Chairman. I appreciate your patience in hearing all of the Members today, and I would also like to put in a request for several things in the water resources authorization.

Speaking about the Corps of Engineers in general, let me begin by saying they are a competent organization that do good work. But I would like to express real frustration in the way that the Corps has been handling projects I think throughout the Nation, and certainly in my district.

Although Congress specifically authorizes projects such as ones that I have requested subcommittee support for previously, the Corps has repeatedly ignored the guidelines and set their own priorities. It has resulted in significant delays that I think distress the communities and the residents near these projects.

The most egregious example that I would point to of this disregard for projects authorized and appropriated is the environmental restoration of Grovers Mill Pond. Those of you with a keen sense of history may recognize the name Grovers Mill. It was the site of the fictitious invasion of the ″War of the Worlds.″ well, there really is a Grovers Mill where Orson Wells said these spacecraft were coming in.

Well, Grovers Mill Pond is a beautiful and historic site and a recreation destination in Westminster Township. But years of sediment buildup and runoff from the watershed have caused the pond to be overrun with aquatic weeds and algae.

In fiscal year 2003, Congress specifically designated $500,000 in funding for fixing this pond for this project, and an initial 10,000 was spent to begin a draft study that was completed in the spring of 2003. In August, the Corps was ready to begin further study work, but by that time the Corps headquarters had already reprogrammed the funding to other projects.

In fiscal 2004 the Corps spent $40,000 to do the first stage of study and design—data collection. The Corps has recently informed me that no further work can be conducted until fiscal year 2005 funding is made available. Now, let me repeat: There was specifically designated funding in the 2003 budget. So this pond in its current condition is not only an eyesore, it is a ″nose sore″ for the community and for the residents who live near it. It gives off an unpleasant smell in some seasons and is long overdue for fixing.

So I urge the subcommittee to include language in your bill that will require the Corps to use its funds to complete the restoration of Grovers Mill Pond.

I would mention, quickly, that I also request that the committee support the restoration of Rogers Pond, which is located in Franklin Township, New Jersey. This project was included in the WRDA bill in the 108th Congress and I am hopeful that the subcommittee will see fit to include an authorization for this project in this bill.

I believe you have heard from Representative Pallone. We both have an interest in the South River Flood Damage Reduction and Ecosystem Restoration Project in South River, New Jersey, as well as the project in Marlboro, New Jersey. I would ask the subcommittee, respectfully, to include authorization for these projects in the legislation as you draft it.

So I again thank the committee for your patient taking of all of this testimony.

Mr. FORTUÑO. My pleasure, Mr. Holt. Thank you very much.

We will now recognize the gentleman from Michigan, Mr. Stupak, for 5 minutes.

STATEMENT OF THE HON. BART STUPAK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mr. STUPAK. Thank you, Mr. Chairman, and it is a pleasure to be here. Just briefly, my district encompasses three of the five Great Lakes and Michigan passed a bill here—and it is not in my testimony—but I want to bring it up because hopefully we can still get a chance to work on it. I know the Chairman, Mr. Duncan, has been interested in it, but we just can't get all our groups together yet on my beach grooming bill, which basically says this: When you are on the beaches of the Great Lakes, we are going to have one set of standards.

Right now the State of Michigan has its standards on what you can do with your lakefront property. The Federal Government has a different set of standards. So we are trying to bring the two together and we are fairly close. We still have a few more issues to work out. So I just want to bring it to everyone's attention that we still hope we can do it yet this year to get it passed this session of Congress.

Let me first bring up the Menominee River dredging. This committee has been great. We have always put this project in the WRDA bill. The WRDA bill goes to the Senate and never goes anywhere. We also have this as a freestanding bill. We are trying to get the committee to sign off on it. In fact, I know my side of the aisle signed off. Hopefully, your side of the aisle will join us.

What we had in Menominee, we were always authorized, way back in 1960, to dredge from 24 to 26 feet within the river. We checked, and the Army Corps said you don't have to do anything with it. Well, lo and behold, the authorization lapsed, based upon some bum advice we got from the Army Corps. I am not picking on the Army Corps, but that is exactly what happened. So now we have situations like this, which was just recently here last fall, a big 680-foot freighter run aground in the Menominee River because it is less than 20 feet at the mouth.

The city of Menominee has dredged the river to 26 feet at their own cost, because we do have a port authority there, and a lot of shipping going on. But this is what is happening: The Army Corps has said if we could do a freestanding bill, move it, just give them the authorization, the spring break-up of the ice, which will be breaking up here on March 21st, they will have the first tug out there and do the dredging for us.

They realize they made an error in this whole situation, would like to remedy it because it is a shipping port of great significance to Michigan and Wisconsin. Every time one of these ships runs aground it costs, probably, just depending on the extent of the damage and how long it takes to get it off, probably about $10- to $20,000, which comes out of the port authority, and it makes it no longer viable economically to ship. So this is just an example of what happens at least once a year, twice a year up there.

Secondly, the Ontonagon Harbor and East Pier Walkway. Back in 1995 the Army Corps went in there and changed the river; I should say, put on steel skirting for a breakwall. What happened, it caused a ping-pong effect. The city had just did its whole walkway with city and State funds; that ping-pong effect of the water ripped up the walkway.

For 10 years I have been fighting with the Army Corps to fix it. It was their responsibility, improper design—which I can't blame the Corps here, it came from the University of Michigan—but anyway, improper design. The walkway is destroyed, it is unsafe. They haven't used it in 10 years. And every time the Army Corps comes in, they say we have got to get it authorized, we have got to get it authorized. Once again, we would like you to authorize it, and this committee goes to the Senate, and that is where the bill dies.

Au Sable River dredging, again you had this in the WRDA bill last year. About a quarter of a mile of dredging we need. Just a primary source of revenue for that area and the city of Oscoda is fishing, boating, and local marinas and restaurants in the area of the Au Sable River. So you did it last year, and I will ask you to do it again.

Last but not least is the Traverse City Harbor Dredging. I used to represent Traverse City in reapportionment, I no longer do. But while I am there, it is the home of the Great Lakes Maritime Academy. Through our efforts and that of other members of the Michigan delegation, we were able to get them their Great Lakes maritime training ship. They went in and built a whole new big complex at this port. They do need some dredging there.

So I certainly would support the Great Lakes Maritime Academy facilities and the dredging and the fixing of that port. The partners in the Great Lakes Academy, the Great Lakes Maritime Academy, who support—because they use the research places there—is Grand Valley University, Michigan State University, University of Michigan, Michigan Technological University, Ferris State University, University of Wisconsin-Superior and University of Minnesota-Duluth.

As you can see, all of us in the Great Lakes use Northwest Michigan College. They have secured local funding of 1.3 million, and the total cost is going to be about 3 million, and we are hoping we can increase the harbor space, and we are going to need some dredging and other renovations to allow NMC to meet the demands of their program.

That was a quick summary. Anything further, Mr. Chairman, or any questions, I will be happy to answer them.

Mr. FORTUÑO. Thank you very much, Mr. Stupak, thank you.

The Chair will now recognize himself.

STATEMENT OF THE HON. LUIS FORTUÑO, A DELEGATE IN CONGRESS FROM THE TERRITORY OF PUERTO RICO

Mr. FORTUÑO. The Corps has undertaken a number of flood control and navigation projects in Puerto Rico in recent years which were authorized through this committee in the Rivers and Harbors Act and Water Resources Development Act. Some of these projects have already been authorized by this committee.

I met with Colonel Carpenter, commander of the Jacksonville District, and Richard Bonner, deputy district engineer for programs, as well as Chief Jose Rosado from the Antilles Construction Office to identify projects for inclusion in the Water Resources Development Act of 2005. The Puerto Rico high-priority projects are the Arecibo River, the Portugues and Bucana Rivers in Ponce, the Rio Puerto Nuevo, Rio Fajardo, the San Juan Harbor, Cano Martin Pena, the Rio La Plata and Ojo De Agua in Aguadilla, Puerto Rico.

The Rio de la Plata project was authorized in Water Resources Development Act of 1990. Preconstruction engineering and design has long since been completed, and for which construction funds were appropriated in each fiscal year from 1995 through 2004. Yet physical construction has not yet commenced. The project has been on the President's long-term recovery action plan for Puerto Rico. A Project Cooperation Agreement for the project was signed in June 1995 following an appropriation of initial construction funds. The initiation of physical construction, however, has not yet provided the Corps the lands required to award the initial construction contract. I am now advised that these lands will be available at the end of calendar year 2005. I urge you to move this project to construction at the earliest possible time.

Another project of importance to my constituents is the Rio Puerto Nuevo. Rio Puerto Nuevo is located right at the heart of Puerto Rico metropolitan area. Severe flooding in the area affects 7,500 residents and 700 commercial and public structures valued at over $3 billion. However, for the last 2 years, construction on the project has been very slow, and at times the project has been halted.

The Arecibo River Project is another important Flood Control Project authorized by the Water Resources Development Act of 1996. The President's budget proposes an allocation of $3.8 million for fiscal year 2006.

Portugues and Bucana Rivers involves the construction of 9.1 miles of channel improvements and two multipurpose dams with uncontrolled emergency spillways.

The dredging of the San Juan Harbor and restoration of the Cano Martin Pena are two operation and maintenance projects of critical importance to Puerto Rico.

Finally, the Rio Fajardo located in the eastern side of the island, and the Ojo de Agua in the Aguadilla located in the western coast of Puerto Rico, are two section 205 continuing authority programs critical to the economic development of the two municipalities

That will conclude my statement for the record.

Mr. FORTUÑO. Mrs. Matsui, I was making sure that I would be able to make my own statement.

Now you are certainly recognized for 5 minutes.

Mrs. MATSUI. Thank you so much.

Mr. Chairman, I appreciate the opportunity to come before the committee today to testify on a matter of great importance to the whole of my district, Sacramento Area Flood Control Agency for flood protection. I know you probably are all intimately aware of my husband's commitment to increased flood protection for Sacramento.

It is only through this committee's shared commitment that a suite of projects was approved and authorized to put Sacramento on the road to a 200-year protection.

I thank you very much for your diligent work and ongoing commitment. I look forward to working with this committee to build on my husband's work and to ensure the public safety and threat of flooding is diminished, and Sacramento receives the level of protection it needs and deserves.

I realize the committee has a long agenda today, and I don't want to take up much of your time.

What I would do instead is not go into specifics, but to submit a statement for the record and look forward to working with each of you as we move forward.

So thank you very much.

Mr. FORTUÑO. Thank you very much, and certainly we will take your written statement into consideration. We thank you for coming over.

Given the fact that there are no more Members wishing to testify, this hearing is now adjourned.

[Whereupon, at 12:55 p.m., the subcommittee was adjourned.]

Testimony of Rep. Tom Allen
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
March 16, 2005
Subject: Camp Ellis

Thank you Mr. Chairman for giving me this opportunity to testify on the Camp Ellis project before your Subcommittee on behalf of my constituents living in the City of Saco, Maine. I also want to thank the Subcommittee for its past support of this project. In the 108th Congress, the Subcommittee included a $10 million authorization for Camp Ellis in H.R. 2557. Unfortunately, that project has changed since 2003, and my request has increased substantially to $25 million.

In 1867, an Army Corps jetty was constructed to protect the Saco River's navigation channel at Camp Ellis, a seaside village within the town of Saco, Maine. Since that time, the jetty has been lengthened, strengthened, smoothed and raised, exacerbating shoreline erosion while protecting the channel. The State of Maine Geologist, Robert Marvinney, has told me that the beach erosion problem in Saco is by far the most severe in the state.

Over the past sixty years thirty-six homes have been lost to the sea. Currently, homes that were once six rows back from the shoreline are in danger of being destroyed. During winter nor'easter storms parts of Camp Ellis often become an island, and residents fear not only for their homes, but for their lives.

These dangerous conditions are caused by a structure erected, improved, and maintained by the United States Government. For that reason, I believe that the federal government must do everything possible to alleviate this situation.

For the past five years, I have been actively involved with a broad coalition of federal, state and local officials, as well as Camp Ellis residents, all of whom are dedicated to fixing the Camp Ellis erosion problem. The members of the coalition have all agreed to a plan recently proposed by the Army Corps. I should mention here that I have been very pleased with the way that the Army Corps has worked with my office and with the local stakeholders.

The Army Corps proposes to build a spur jetty off of the existing jetty. Although the original plan had included a breakwater component in conjunction with the spur jetty, geologic conditions, namely forty feet of clay under the water off Camp Ellis, will make a breakwater prohibitively expensive. In fact, the cost estimates for the spur jetty have risen since I last made this request in 2003, due to geologic conditions underwater and the studies necessary to design an adequate structure to mitigate the erosion. That is why I am requesting a $25 million authorization, which will allow the Army Corps to finish its design studies and models, build the proposed enhanced spur jetty, and to renourish the eroded beach. That figure also accounts for previously conducted studies and models.

The residents of Camp Ellis are, justifiably in my opinion, angry at the federal government for not fixing a structure that it built and that is destroying their homes. They have seen this problem studied over and over again for more than a decade and are losing patience. However, I would not feel comfortable asking the Subcommittee to support a project unless I believed that it would permanently restore the beach and prevent further erosion and property loss. The plan developed by the Army Corps, the State of Maine, and the City of Saco, in consultation with Camp Ellis residents is the best plan to mitigate the damages caused by the Corps' jetty. However, without Congressional authorization, this plan will not go forward. Therefore I ask for your support of this important project.

I want to again thank the Subcommittee for its past support of this project, and for the opportunity to testify on its behalf here today. I look forward to working with you as you develop the Water Resources Development Act.

ROBERT E. ANDREWS
FIRST DISTRICT, NEW JERSEY

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March 14, 2005

The Honorable John J. Duncan, Jr.
B-376 Rayburn HOB
Washington, DC 20515

Dear Honorable Duncan:

Mr. Chairman, thank you for the opportunity to submit my comments on the Water Resources and Development Act of 2005. I have submitted several requests for your consideration in this bill and I would like to take this opportunity to voice my support for each of these projects. Authorization of these projects is critical to protecting the water resources of New Jersey and its neighboring states.

My first request is for language that would authorize the Army Corps of Engineers to complete plans and specifications and initiate construction of the Tide Gate and Dike Restoration Project on the Repaupo Creek, which is located in Greenwich and Logan Townships in New Jersey.

This tide gate is a century-old levy located where the Repaupo Creek intersects with the Delaware River. Its deteriorated condition has caused serious water quality concerns that threaten the creek's natural wildlife as well as the watersheds nearby that provide drinking water for thousands. It has also caused serious flooding concerns for the rural, farming communities that reside along the creek. Greenwich Township has agreed to serve as the non-Federal sponsor to provide funding for the project. This has been a top priority of mine for several years now and I am hopeful that subcommittee will be able to include $10,000,000 for this project in its authorization this year.

My second request is for a study and project to alleviate the problem of debris on the Delaware River. The commercial and recreational use of the Delaware River, from Trenton, NJ to the river mouth, is hampered by the large amount of floating and submerged debris. River debris was directly responsible for the oil spill on November 26, 2004 from the ATHOS I, which discharged 265,000 gallons of oil into the Delaware River. The cleanup effort has so far cost $94.5 million and has inflicted severe damage to both marine and land ecosystems. The unsightly trash, cut logs, lumber, and storage tanks continue to challenge safe navigation and recreational use of the river. The results have been death, property loss, and a loss of economic income to the area, as recreational users leave the area for safer and more pleasurable waterways. The costs of repairs are immeasurable as hundreds of boaters and commercial craft suffer damage or destruction of underwater drives.

Related to this request, I have asked the Chairman to include authorization for two items: a long-term reconnaissance study for improved navigational safety of the Delaware River and $5,000,000 necessary for the Army Corps of Engineers to begin cleanup of debris on the Delaware River. For both projects, the Delaware River Port Authority will serve as the non-Federal sponsor.

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The Honorable John J. Duncan, Jr.
March 14, 2005
Page 2

The study would determine a method of improved navigational safety by removal of submerged rocks, shoals, marine debris and other hazards to deep-draft vessels traversing these navigational channels and the adjacent waters of the United States. As part of the study, an assessment will be conducted of the economic, environmental, regional and social benefits attributable to the reduction in actual or threatened oil spills. The cleanup mission is extremely important for both the health of the river and to prevent future oil or toxic spills. I respectfully urge the Chairman to include authorization language that will allow the Army Corps to collect and remove floating and sunken marine debris and other hazards from the River.

My third request is to authorize $3,000,000 funding for the Tri-state Maritime Safety Association (TMSA). TMSA promotes partnerships between local, state and federal responders and the maritime community for regional maritime emergency preparedness and consequence management within Delaware, Pennsylvania, and New Jersey including the Delaware River Basin, NJ and DE Coastal Areas, and Nanticoke River. For this request, TMSA will serve as the non-Federal sponsor.

TMSA is the only regional organization focused on maritime emergency response to protect these shorelines from oil and toxic spills, as well as to fight maritime fires. The value of the TMSA is ever more significant in light of the recent oil spill that discharged 265,000 gallons of oil into the Delaware River. In order to maintain their maritime emergency response capabilities, TMSA must establish a viable continuous funding mechanism for their communications, training, equipment, and program activities. Therefore, I respectfully request that you authorize funding for the TMSA for oil spill, toxic spill, and maritime firefighting communications, training, equipment, and program administration activities in the Delaware River and Bay.

My final request involves the Gloucester Environmental Management Services landfill in Gloucester, New Jersey. I am requesting language that requires the Army Corps to certify that any Superfund site that is managed by known responsible parties and that contains radionuclides that exceed drinking water standard at the source prior to any onsite pretreatment, and that seeks to discharge wastewater into a waterway, after passing through the interceptor lines of a secondary sewerage treatment system, does not impact negatively on areas the Army Corps regulates. Until such certification is complete, all permits for such discharge should be suspended.

Thank you for your time and for allowing me to express my support of these vital water projects.

Sincerely,

Robert E. A

Robert Andrews
Member of Congress

REA:jns

04/28/2005 19:26 FAX 2022258941 Rep. Earl Blumenauer S 006

EARL BLUMENAUER
THIRD DISTRICT, OREGON

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Rep. Earl Blumenauer
Statement for the Record
Water Resources Subcommittee Hearing:
The Water Resources Development Act of 2005
March 16, 2005

I appreciate the Committee holding this hearing and I look forward to finally reauthorizing WRDA this year.

I also appreciate the opportunity to indicate support for a few projects and policies changes within WRDA.

I have a request for the Corps to do a floodplain and water quality restoration project on the Johnson Creek in Gresham, Oregon. Johnson Creek is one of the last known streams within the Portland Metropolitan area to support endangered fish species. As urban growth and industrial lands expand into the upper Johnson Creek basin, it is more important than ever to restore the area's wetlands for water storage, enhance water quality, restore riparian areas, and improve salmon habitat.

I also hope that this Committee will also consider raising the funding limits for the Continuing Authorities Program for Sections 206 and 1135 as authorized in WRDA 1996. The limits for these programs are too low to meet the demands of environmental restoration projects nationwide, and have impacted projects in my district. I think these environmental projects indicate the direction the Corps is heading, and we should be giving them the capacity to do more.

In addition to authorizing a number of important projects, WRDA is also an opportunity to make changes to the underlying policies and principles by which the Corps operates. Last session we were able to take some small steps in the WRDA bill to make the Corps more environmentally and fiscally responsible. I appreciated the hard work of the Committee to come to an agreement on some "Corps Reform" issues.

In particular, I was glad that we were able to address the issues of independent review and mitigation. But these are two areas at which I hope we can take a closer look and make the provisions even stronger. The need for independent review of Corps studies has been demonstrated by a series of studies by the National Academy of Sciences, the GAO, other federal agencies, and other independent experts. I am concerned that the Independent Review

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provision in WRDA 2003 is not entirely independent, as it gives a great deal of discretion to the Chief of Engineers and the Secretary of the Army. I hope that we can work to improve upon the language WRDA 2003 to ensure that the necessary reviews will actually take place and that they are truly independent.

I also hope we can strengthen the mitigation provisions of WRDA 2003 in order to ensure that the Corps fully mitigates environmental damage caused by its project and that the mitigation is done in a timely manner.

The House WRDA bill (H.R. 2557) also had a provision that I worked on dealing with the Corps' Principles and Guidelines. But this small provision, which gives the Corps more flexibility in its planning process, should not take the place of serious revision of the Principles and Guidelines, which have not been updated since 1983.I hope that the Committee will continue to look at the Principles and Guidelines, especially in light of a number recent National Academy of Sciences reports on the topic.

Overall I believe last year's WRDA bill started the conversation about improving the Corps' planning process, and I look forward to working with the Committee to strengthen these provisions.

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COMMITTEES:
TRANSPORTATION AND INFRASTRUCTURE

AGRICULTURE

EDUCATION AND THE WORKFORCE

REPUBLICAN POLICY COMMITTEE

Mr. Chairman, I would like to first thank the committee for its past support on the critical issue of coastal erosion that we are facing in Louisiana. As this committee knows well, wetland loss in coastal Louisiana has reached catastrophic proportions, with current losses of 25-35 square miles per year. The disappearance of Louisiana's wetlands threatens the enormous productivity of its coastal ecosystems, the economic viability of its industries, and the safety of its residents.

Louisiana's Coast is a "working coast" and has enormous significance for the economy and security of the nation. 34% of natural gas and 30% of crude oil is produced or moves through pipelines in coastal Louisiana. The infrastructure that supports these activities is interwoven with the unique ecosystem created by the Mississippi River in south Louisiana.

The Army Corps of Engineer's Chief's report released late last year presented a $1.2 billion near-term plan which identifies the most critical natural and human ecological needs of coastal Louisiana and develops and recommends cost-effective projects to address these needs. It is essential that Congress act quickly on this. I and the rest of the Louisiana delegation look forward to working with you and addressing this important issue in this year's WRDA legislation.

I would also like to stress my support for other projects important to the state of Louisiana, including authorization of the Morganza to the Gulf project, the replacement of Bayou Sorrel Lock, Port of Iberia, and Oachita and Black Rivers Bank Stabilization projects. I also support the retention of the deep draft harbor cost sharing provisions contained in WRDA 2003.

Finally, I urge the committee to explore the problem of the continued underfunding of our nation's most vital ports. In my district, the Calcasieu River and Pass have been allowed to fall far short of its authorized dimensions due to continued insufficient dredging funds. The Port of Lake Charles is critical to the nation's energy supply, and neglecting this throughway drives up energy costs to consumers and jeopardizes our nation's energy supply. It is critical to our nation's energy security and national security that ports of such significance receive adequate funding from Congress.

TESTIMONY OF
THE HONORABLE RUSS CARNAHAN (MO-03)
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT
U.S. HOUSE OF REPRESENTATIVES

Hearing on
The Water Resources Development Act of 2005

Wednesday, March 15, 2005, 10:00am - 11:00am
2167 Rayburn House Office Building

Mr. Chairman, thank you for taking the initiative to hold this important hearing today on the Water Resources Development Act. I want to thank both you and the Ranking Member for all of your hard work on this important piece of legislation. We are lucky to have leaders that recognize the importance of the projects contained in this bill and how valuable they are to our communities.

The eastern edge of my district runs along the Mississippi River. The economic and evironmental health of the river and the riverfront are of utmost importance to the greater St. Louis community. This is why I requested The St. Louis Regional Greenways Proposal as part of the Water Resources Development Act. This proposal is a broad reaching attempt to improve the quality of life of St. Louisans by advancing the development of greenways and natural areas connected by parks and trails.

The proposal is an authorization request for Corps of Engineers projects included in eight local greenway plans, including projects in the City of St. Louis, St. Louis County, as well as other counties in several of my colleagues' districts. The project has many environmental benefits. It will conserve natural resources, such as improving water quality in our waterways, preserving open space, and protecting natural wildlife habitat. It will also improve public and disabled access to parks, open space and waterways.

In addition to the environmental impact, the development of these greenways will also boost economic activity. The realized benefits will include creating new outdoor recreation opportunities and will attract large numbers of new tourists. Further, we believe the project will stimulate new commercial and residential development, as well as attract new businesses, resulting in the creation of both new jobs and new residents.

The proposal has very strong regional support from all areas of the community. Local government, non-profit groups and area business leaders are collectively in support of the Greenways Development. This is shown by the fact that we already have more than $75 million in state and local public, private and nonprofit investment in projects that are part of the local plans included in the St. Louis Regional Greenways Proposal.

Now let me turn to the specific details of the overall plan. The greenway plans are focused on preserving open space and natural wildlife habitat, improving the water quality in our rivers and streams, and for providing outdoor recreation opportunities.

To achieve these goals and fully develop a regional greenways system, the proposal allows local governments and nonprofits to partner with the Corps on several different projects. One of the most important environmental projects will involve the restoration of fish and wildlife habitat. We will also see an improvement to public access to the Mississippi and Missouri Rivers, as well as other rivers, streams and waterways in our region. In addition, there will be development of aquatic recreation areas and waterways, as well as regional trails and other connectors to link these greenway improvements.

I would like to highlight two of the projects that could result from this bill. First, is the Chouteau Lake and Greenway. Through this, we will see the development of the waterway and surrounding greenway system which will be a focal point of the City of St. Louis. The Chouteau Lake system will partially restore an urban stream and watershed dating back to the preindustrial era. The greenway will act as a filter and cleansing system for storm water draining into the lake system.

Another project I would like to share with you is the River des Peres Greenway. This project will construct the River des Peres Greenway from the Mississippi River to Deer Creek. This greenway development would include environmental restoration and park projects along with a new trail throughout the greenway.

I would like to thank the committee for their time and consideration today.

Testimony of Congressman Michael N. Castle before the House Transportation Subcommittee on Water Resources and Environment Regarding the Authorization of Priority Projects in Delaware

March 16, 2005

MR. CASTLE. Mr. Chairman, I thank the Subcommittee for giving me this opportunity to testify about important water resource projects in my home state of Delaware. I appreciate the help you have provided my district in the past and hope you will look favorably on the following priority projects:

- First, construction authorization for the Army Corps to begin construction of a recreation site along the Chesapeake and Delaware Canal.
- Second, ownership and maintenance of the SR1 Bridge crossing the Chesapeake and Delaware Canal and disposition and maintenance of St. Georges Bridge crossing the Chesapeake and Delaware Canal.
- Third, authorization of Army Corps involvement in the Delmarva Conservation Corridor.
- Fourth, clarification of federal cooperation in funding the Delaware River Basin Commission.
- Fifth, authorization of regional task force to study the health of the Delaware River.
- Sixth, authorization of removal of the Christina River shipwreck 'State of Pennsylvania.'
- Seventh, authorization of the Edgemoor Rail Yard flood control project.
- Eighth, project Construction authorization for the Delaware River and Tributaries in Pennsylvania and Delaware.
- Ninth, authorization of a management plan for ecosystem restoration in the Delaware River Watershed in Delaware, Pennsylvania, New Jersey and New York.
- Tenth, authorization of the Delaware River Navigational Safety (debris) and General Investigation Study.

1) Chesapeake and Delaware Canal

The Chesapeake and Delaware Canal (C&D Canal) is an untapped multi-purpose recreational and educational, and environmental resource for Delawareans, Marylanders, and the entire mid-Atlantic region and is a national resource worthy of improved care and attention. The Army Corps currently provides planning assistance to the State of Delaware for an Evaluation of Recreation Supply and Demand of the Chesapeake and Delaware Canal under Planning Assistance to the States (Section 22), for which $150,000 was appropriated in the FY2005 Consolidated Appropriations Act. Conditional upon a favorable master plan, scheduled for completion by December 31, 2005, we respectfully request that a construction authorization be granted to the Army Corps to begin construction on a recreation site on the Corps owned land along the C&D Canal (please see proposed statutory language below). Such action would ensure that the Corps, as stewards of this land, would work to realize the full recreational, educational, and environmental value along the C&D Canal. Many community groups could benefit from the expanded management, recreational facilities development, and operations of the Canal.

As an attraction, the Chesapeake and Delaware Canal is one of two commercially vital sea-level canals in the United States. It runs 14 miles long from Delaware City, Delaware to Chesapeake

City, Maryland, and connects the Delaware River with the Chesapeake Bay. The history, the wildlife, the scenic views, and the bridges of the Canal are all great attractions.

Proposed Statutory Language:
WRDA 2005 SEC. xxx. Intracoastal Waterway, Delaware River to Chesapeake Bay, DE & MD (Chesapeake and Delaware Canal)

(a) IN GENERAL.--The Secretary is authorized to evaluate and make capital improvements to the Intracoastal Waterway, Delaware River to Chesapeake Bay, DE & MD (Chesapeake and Delaware Canal)
(b) AGREEMENTS.--The Secretary shall, with the consent of appropriate local and State entities, enter into such arrangements, contracts, and leases with public and private entities as may be necessary for recreational use of the canal and its related facilities.
(c) FEDERAL SHARE.--The Federal share of the cost of capital improvements under this section shall be 50 percent.
(d) CREDIT FOR DESIGN AND CONSTRUCTION WORK.—The non-Federal interest shall receive credit for the reasonable costs of design and construction work completed by such interest prior to entering into a local cooperation agreement.
(e) AUTHORIZATION OF APPROPRIATIONS.--There is authorized to be appropriated to carry out this section $10,000,000. Such sums shall remain available until expended.

2) Ownership and maintenance: SR1 Bridge/Disposition and maintenance: St. Georges Bridge
SR1 Bridge – In 1990, Congress authorized the State of Delaware to build a new bridge over the Chesapeake and Delaware Canal, the SR1 Bridge, on behalf of the Army Corps of Engineers at St. Georges, Delaware. In defiance of long established federal law, the Army Corps of Engineers has refused to accept ownership and maintenance responsibility for the bridge.

St. Georges Bridge – Since the opening of the SR1 Bridge over the Chesapeake and Delaware Canal, the Army Corps of Engineers has been discussing the fate of the adjacent St. Georges Bridge. Original plans called for the Corps to demolish the bridge at a cost of $21 million once the new SR1 Bridge was constructed. However, interest in maintaining both bridges arose, especially after the Corps found the St. Georges Bridge to be structurally sound in 1997. If the St. Georges Bridge is demolished, it is unlikely to be long before a new bridge will have to be constructed by the federal government in order to satisfy its legal obligation to provide good and sufficient crossings over the canal.

The construction is complete and there are no new costs associated with the project.

The statutory language below clarifies the ownership and maintenance issues with respect to the SR1 Bridge and prohibits demolishing of the St. George's Bridge without prior authorization from the Congress.

Proposed Statutory Language:
P.L. 101-640 Stat 4606, [Water Resources Development Act (WRDA) of 1990] Section 102 (g) is amended by adding the following at the end of said subsection:

"The Corps of Engineers shall assume ownership responsibility for the replacement bridge no later than the date on which the construction of such bridge is completed and the contractors are released of their responsibility by the State. Further, The Secretary may not undertake any action to close or remove the St. Georges Bridge, which lies across the Chesapeake and Delaware Canal, Delaware, without specific congressional authorization."

3) Delmarva Conservation Corridor

The Conservation Corridor Demonstration Project was authorized in the 2002 Farm Bill initiative to address environmental and agricultural conservation on a multi-jurisdictional level.

The Delmarva Conservation Corridor Demonstration Project is designed to improve the economic viability of agriculture and the environmental health of Delaware's watersheds. The program consists of two core components: (1) Establishing an agricultural operations and conservation "Advocate's Office" to improve the marketing of, and participation in, existing and new conservation programs. Another core objective of the "Advocate's Office" will be to partner with landowner/operators in full spectrum business planning, and (2) Developing and implementing new conservation programs designed to meet both core objectives and reworking existing programs to better fit the needs dictated by our region's unique economic and environmental needs.

While this project is a new start there are no new federal funding requirements.

Proposed Statutory Language:

SEC. --. DELMARVA CONSERVATION CORRIDOR.

(a) ASSISTANCE- The Secretary may provide technical assistance to the Secretary of Agriculture in carrying out the Conservation Corridor Demonstration Program authorized under subtitle G of title II of Public Law 107-171 (116 Stat. 275-278).

(b) COORDINATION AND INTEGRATION- In carrying out water resources projects in the States on the Delmarva Peninsula, the Secretary shall coordinate and integrate, to the extent practicable, such projects with any activities undertaken to implement a conservation corridor plan approved by the Secretary of Agriculture under section 2602 of Public Law 107-171 (116 Stat. 275-276).

4) Delaware River Basin Commission

The Delaware River Basin Commission was established by P.L. 87-328 in 1961 through an agreement among the Governors of four states with land drained by the Delaware River – Delaware, New Jersey, New York, and Pennsylvania. The Delaware River Basin Commission's capacity to contract with Delaware Natural Resources and Environmental Control's Division of Water Resources laboratory for water quality sampling and analysis in the Delaware River and Bay is at risk. Areas most likely to be impacted include in-stream fishery needs & flow modeling, flood loss reduction initiatives, cooperative contracts with Federal partners, Commission's Special Protection Waters program for southeastern Pennsylvania, and reduction in monitoring and analysis in the Delaware River and Bay.

The Delaware River Basin Commission adopts an annual budget. While The Delaware River Basin Commission is a cost shared program between the federal government and the four participating states (DE, NJ, NY, and PA), the Federal Government has not contributed its share since FY 1995 and the line was zeroed out in FY 1996.

Federal Government	20%
Delaware	12.5%
New Jersey	25%
New York	17.5%
Pennsylvania	25%

Proposed Statutory Language:

SEC. -- SUSQUEHANNA, DELAWARE, AND POTOMAC RIVER BASINS.

(a) EX OFFICIO MEMBER- Notwithstanding section 3001(a) of the 1997 Emergency Supplemental Appropriations Act for Recovery From Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (111 Stat. 176) and section 2.2 of both the Susquehanna River Basin Compact (Public Law 91-575) and the Delaware River Basin Compact (Public Law 87-328), beginning in fiscal year 2002 and thereafter, the Division Engineer, North Atlantic Division, Corps of Engineers, shall be the ex officio United States member under the Susquehanna River Basin Compact and the Delaware River Basin Compact, who shall serve without additional compensation and who may designate an alternate member or members in accordance with the terms of those respective compacts.

(b) AUTHORIZATION TO ALLOCATE- The Secretary shall allocate funds to the Susquehanna River Basin Commission, Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin (Potomac River Basin Compact (Public Law 91-407) to fulfill the equitable funding requirements of their respective interstate compacts.

(c) WATER STORAGE- The Secretary shall enter into an agreement with the Delaware River Basin Commission to provide temporary water storage at the Francis E. Walter Dam, Pennsylvania, during any period in which the Commission has determined that a drought warning or drought emergency exists. The agreement shall provide that the cost for any such water storage shall not exceed the incremental operating costs associated with providing the storage.

Section XXX Water Supply Credits

The Cost of the Federal Share for the annual operating budget of the Delaware River Basin Commission as defined in Public Law 87-328 (75 Stat 688) shall be credited against the payments required from the Delaware River Basin Commission as a result of r the Water Supply Contracts with the Federal Government for Blue Marsh Lake and Beltzville Lake (HD 87-522 in the Flood Control Act of 1962). All current contracts between the Federal Government and DRBC shall be modified to account fro this change.

5) Creation of Regional Task Force to Study the Health of the Delaware River

In light of the recent oil spill in the Delaware River, I would like to respectfully request that the Committee authorize the creation of a regional task force, the "Delaware River Industrial Prevention, Monitoring and Event Response Task Force," to be comprised of local, state, and

federal agencies from Delaware, Pennsylvania, and New Jersey to address the following important goals:

1) Ensure each state's own environmental and safety laws are recognized and adhered to.
2) Increase regional coordination among the states and the federal and local agencies to ensure all interests are considered.
3) Design a sustained prevention, monitoring and research program of the Delaware River to better ensure that we understand the affects of industrial proposals or incidents on the river and its wildlife habitats.

The "Delaware River Industrial Prevention, Monitoring and Event Response Task Force," would be charged with three primary responsibilities:

1) Researching and examining ways to prevent future incidents.
2) Establish a Regional Response Team, comprised of federal and state agencies to analyze proposed and present activity along the Delaware River to determined regional costs and benefits and to coordinate any necessary clean up efforts in the wake of an adverse incident.
3) Implement a sustained Delaware River health-monitoring program, including evaluations of ecosystems and wildlife, as well as pollution levels in the River.

6) Removal of the Shipwreck 'State of Pennsylvania'

The sunken vessel, the wreck that was once the "State of Pennsylvania," is located in a section of the Christina River where neither the Army Corps of Engineers nor the Coast Guard operates and maintains an established channel due to the lack of commercial navigation activities. As a result, no authority exists under current regulations, concerning the marking and removal of obstructions to navigation, to salvage the remains of this vessel. Although it is described on navigational charts, and parts are visible during low tide, the wreckage is not at all visible during high tide and is a danger to boating traffic. The Army Corps of Engineers has performed a detailed investigation of the remains of the "Pennsylvania" in order to better define vessel dimensions, river location and cost to remove. Results of the survey effort indicated the presence of a largely intact shipwreck (hull and related structural members) and an associated debris field larger than is visible at low tide. The debris field is approximately 275 feet long and extends out from the bulkhead toward the center of the river approximately 110 feet.

Based upon the survey data above, the Corps' completed study, and the Corps' experience contracting wreck removal operations, it is estimated that the total cost to remove the derelict vessel will be $650,000. The estimated federal/non-federal cost share is 2/3 federal and 1/3 non-federal. The completion date is 2006.

Proposed Statutory Language:

Section XXX. The Chief of Engineers is authorized to carry out at an estimated Federal cost of $425,000 the removal of the debris associated with the "State of Pennsylvania" steamship and other vessels from the Christina River under Section 202 of the Water Resources Development Act of 1976 (Public Law 94-587). The Chief of Engineers is directed to act based upon a compelling Federal interest in regards to public health, safety, and the environment for this harbor. No further

effort to recover funds from vessel owners is required. These funds once appropriated shall remain available until expended.

7) Edgemoor Yard Flood Control Project

I respectfully request that the Committee direct the Secretary of the Army to study the feasibility of a flood control project along the Delaware and Christina Rivers and Shellpot Creek in Wilmington, Delaware. The project study would require a detailed analysis of the area hydrology, tidal water flows, control structures, and prevailing constraints, in order to determine the optimum means to reduce or eliminate flooding in this area.

This project would require an initial feasibility study to determine cost benefit analysis. The estimated total cost for the study and engineering stage is $1,000,000, which is based on the preferred option of raising the rail yard height to escape floodwaters. The estimates were based on using American Railway Engineering and Maintenance of Way Association (AREMA) standards for increasing height of rail yard. The prevailing Corps Civil works program cost share guidelines would be applied for the federal/non-federal cost share. The estimated completion date for the project is twelve months from start.

8) Delaware River and Tributaries—Pennsylvania and Delaware Project Construction Authorization

To allow for quicker implementation and construction, I respectfully request the Committee designate up to a total of $20,000,000 for flood control projects in Delaware or adjacent Pennsylvania Watersheds without the need for subsequent Congressional Authorization under a successive WRDA or use of the Corps Continuing Authorities Program, which currently has more projects that it can effectively handle. The Secretary may construct projects to address flood control, ecosystem restoration, and hazard mitigation and related measures to protect water and land resources in Delaware, Chester, Montgomery and Philadelphia Counties in Pennsylvania plus New Castle, Kent and Sussex Counties in Delaware.

This ongoing Corps' project is estimated to cost $20,000,000 and prevailing Corps Civil works program cost share guidelines would apply.

Proposed Statutory Language:

SEC. xxx DELAWARE RIVER AND TRIBUTARIES, PENNSYLVANIA, AND DELAWARE.

(a) IN GENERAL.—In conjunction with preparation of feasibility level investigations in the Delaware River Basin Comprehensive Study conducted under Section 729 of the Water Resources Development Act (WRDA) of 1986, as amended by Section 202 of WRDA 2000, to address flood control, ecosystem restoration, and hazard mitigation and related measures to protect water and land resources. The Secretary may construct projects to implement such measures in Delaware, Chester, Montgomery and Philadelphia Counties in Pennsylvania plus New Castle, Kent and Sussex Counties in Delaware.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $20,000,000 to carry out this section.

9) Delaware River Watershed, Delaware, Pennsylvania, New Jersey and New York Management Plan for Ecosystem Restoration

The goal of this project is to develop a management plan, in consultation with the States of Delaware, Pennsylvania, New Jersey, and New York and the Delaware River Basin Commission for a feasibility study to develop and evaluate a general management plan for ecosystem restoration of the Delaware River and Bay and its tributaries for habitat protection and restoration, stream and shoreline stabilization, storm-water management, water quality improvement, non-native species control, wetland restoration, fish passage, Hazard Mitigation, and natural flow restoration.

The estimated total cost for this project is $20,000,000 for which the Federal share would be 65 percent.

Proposed Statutory Language:

SEC. XXX. DELAWARE RIVER WATERSHED: DELAWARE, PENNSYLVANIA, NEW JERSEY AND NEW YORK

(a) **GENERAL MANAGEMENT PLAN DEVELOPMENT**

(1) The Secretary, in consultation with the States of Delaware, Pennsylvania, New Jersey and New York and the Delaware River Basin Commission, shall conduct a feasibility study which develops and evaluates a general management plan for ecosystem restoration of the Delaware River and Bay and it tributaries for the purposes of (A) habitat protection and restoration; (B) stream and shoreline stabilization; (C) stormwater management; (D) water quality improvement; (E) non-native species control; (F) wetland restoration; (G) fish passage; (H) Hazard Mitigation and (I) natural flow restoration.

(2) BOUNDARIES.—The Delaware River Basin includes all or portions of forty-two counties in New York, New Jersey, Pennsylvania and Delaware, draining an area of approximately 13,539 square miles and includes the entire area of drainage into the Delaware River and its tributaries, including Delaware Bay;

(3) EXISTING PLANS.—In developing the general management plan, the Secretary shall depend heavily on the *Water Resources Plan for the Delaware River Basin* prepared by the Delaware River Basin Commission.

(b) **CRITICAL RESTORATION PROJECTS.**

(1) IN GENERAL.—The Secretary may participate in any critical restoration project in the Delaware River Basin in accordance with the general management plan developed under subsection (a) which shall define Federal interest.

(2) DEFINITION – The term 'critical water resource project' means a project that, consistent with Federal programs, projects and activities, will produce immediate or continuing ecosystem restoration, preservation, and protection benefits, and benefits for water resources use consistent with the goals and objectives of the *Water Resources Plan for the Delaware River Basin.*

(2) TYPES OF PROJECTS.—A critical restoration project shall be eligible for assistance under this section if -

(A) meets the purposes described in the general management plan developed under subsection (a); and

(B) CERTIFICATION – A critical water resource project shall be eligible only if the Delaware Basin Commission certifies to the Secretary that the critical water resource project will contribute to the protection and enhancement of the quanlity,

(4) SPECIAL CONSIDERATION- In certifying critical water resource projects to the Secretary, the DRBC shall give special consideration to projects that implement the *Water Resources Plan for the Delaware River Basin* and provide for the preservation and enhancement of the economic and social character of the communities and regions of the Delaware River watershed.

(c) COST SHARING.—The Federal share of the cost of any project carried out under this section shall be 65 percent.

(d) NON-FEDERAL INTEREST.—A nonprofit organization may serve as the non-Federal interest for a project carried out under this section.

(e) CREDITING.—

(1) FOR WORK.—The Secretary shall allow credit, including credit for in-kind contributions of up to 100 percent of the non-Federal share, for work (including design work and materials provided prior to the signing of a Project Cooperation Agreement or prior to the signing of a Feasibility Cost Sharing Agreement) if the Secretary determines that the work performed by the non-Federal interest is integral to the product.

(2) FOR OTHER CONTRIBUTIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, dredged material disposal areas, and relocations necessary to implement the
projects.

(f) **APPLICABILITY OF OTHER FEDERAL AND STATE LAWS** – Nothing in this section waives, limits, or otherwise affects the applicability of Federal or Ste llaw with respect to a project carried out under this section.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section $20,000,000, to remain available until expended.

10) Delaware River Navigational Safety (Debris) and General Investigation Study

The commercial and recreational use of the Delaware River, from Trenton, NJ to the river mouth, is hampered by the large amount of floating and partially submerged debris. River debris was directly responsible for the oil spill on November 26, 2004 from the ATHOS I, which discharged 265,000 gallons of oil into the Delaware River. The cleanup effort has so far cost $94.5 million and has inflicted severe damage to both marine and land ecosystems. The unsightly trash, cut logs, lumber, and storage tanks continue to challenge safe navigation and recreational use of the river. The results have been death, property loss, and a loss of economic income to the area, as recreational users leave the area for safer and more pleasurable waterways. The costs of repairs are immeasurable as hundreds of boaters and commercial craft suffer damage or destruction of underwater drives. The project consists of a long-term study, which requires Authorization (by Study Resolution) and then subsequent appropriation of funds and an Authorization modifying the existing Delaware River projects to allow for immediate debris and drift removal and then subsequent appropriation.

Proposed Statutory Language:

Part 1:
"The Secretary of the Army is directed to review the reports of the Chief of Engineers on the Delaware River and its tributaries, Pennsylvania, New Jersey, and New York, published as House Document 179, Seventy Third Congress, Second Session, and the Delaware River, published as House Document number 522, Eighty-seventh Congress, Second Session and other prior reports, with a view to determining improved navigational safety by removal of submerged rocks, shoals, marine debris and other hazards to deep-draft vessels traversing these navigational channels and the adjacent waters of the United States. In project justification, the Secretary shall include the economic, environmental, regional and social benefits attributable to the reduction in actual or threatened oil spills as a component. In considering these special benefits and in conducting the overall study, the Secretary shall maintain close coordination with the United States Coast Guard and the state environmental protection agencies."

Authorizes the Committee on Appropriations of the United States House of Representatives or the Committee on Appropriations of the United States Senate to provide $200,000 for the Corps of Engineers to initiate and complete a Reconnaissance Study for Improved Navigational Safety of the Delaware River and Tributaries.

Part 2:
"The Delaware River, Philadelphia to Sea Project, authorized by HD 61-733 and modified by HD 71-304, R&H Committee Doc 73-5, DS 75-159, HD 76-580, HD 83-358, and HD 85-185 and tributaries is hereby modified, to authorize the Secretary to collect and remove floating and sunken marine debris and other hazards which is an obstruction to navigation, poses a threat to navigational safety, or risks an oil spill. Up to $5 million is authorized to be spent annually for equipment, labor, and contracts. Cost sharing will continue to be based upon the original authorization."

Thank you in advance for the Subcommittee's consideration of the previously mentioned requests. I hope the Committee will strongly consider authorization and funding for these priority projects.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Subcommittee on Water Resources
U.S. HOUSE OF REPRESENTATIVES
U.S. Congressman Jerry F. Costello
Member Project Requests for the Water Resources Development Act of 2005

March 16, 2005
10:00 a.m. - 12:00 p.m.
2167 Rayburn House Office Building

Good morning. I want to thank Chairman Duncan and Ranking Member Johnson for calling today's hearing on member project requests for the Water Resources Development Act of 2005.

I look forward to hearing from members on their projects as these projects help to restore and enhance the Nation's environmental and water infrastructure. Further, they provide vital public safety and economic benefits to our constituents. Finally, I have submitted projects and look forward to working with the Chairman and Congresswoman Johnson as we move forward in crafting a final bill.

Thank you.

HENRY CUELLAR
28TH DISTRICT, TEXAS

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COMMITTEE ON
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Testimony before the Water Resources and Environment Subcommittee of the House Committee on Transportation and Infrastructure

The Importance of the Chacon Creek Flood Mitigation Project to the City of Laredo, Texas and the Importance of the Drainage Improvement Project to the City Of Dilley

Congressman Henry Cuellar (TX-28)

March 16, 2005

Mr. Chairman, I am pleased to offer testimony on the importance of the Chacon Creek Flood Mitigation Project and the Drainage Improvement Project in the cities of Laredo and Dilley, Texas respectively.

While the State of Texas is unique in its ever changing climate, environment and infrastructure development, one element always remains a constant: our need for water resources.

The City of Laredo, in an effort to keep up with its remarkable growth and development, has a fundamental need for the Chacon Creek Flood Mitigation Project. This worthwhile project aims to transform Chacon Creek in south Laredo into a useable space for the citizens of Laredo and surrounding counties. The City of Laredo and Webb County have experienced an explosion in both population and opportunity, with the resulting development causing increased runoff into the watershed, thus enlarging the floodplain. This project will not only mitigate encroachment of housing on the Chacon Creek, but will enhance the quality of life for the area through preservation and enhanced recreational opportunity.

The City of Dilley has experienced notable increased flooding over the last several years. Increased development on previously untouched land and the related increase in impervious cover have rendered the current drainage system inadequate for the needs of a growing community. The City of Dilley seeks to undertake a thorough hydrologic study to determine accurate runoff volumes and water surface profiles. This study would serve as an instrumental tool in determining the extent of necessary improvements to the local drainage system.

These projects address fundamental needs in these cities, and I urge their inclusion in the Water Resources Development Act. The assistance of your committee to Laredo and Dilley illustrates a true understanding of our responsibility to provide citizens with basic necessities in some of this country's fastest growing cities. Thank you.

Henry Cuellar

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21ST CENTURY COMPETITIVENESS

STATEMENT OF THE HONORABLE SUSAN A. DAVIS

Before the Subcommittee on Water Resources and Environment

March 15, 2005

Thank you for the opportunity to comment on my request for authorization of the continuing project for beach nourishment in the City of Imperial Beach.

Located in southern San Diego County, Imperial Beach has been working with the Corps of Engineers, most recently since 1997, on a comprehensive beach nourishment project to provide storm damage protection, a recreational beach, and least tern habitat along the City's shoreline. The Imperial Beach/Silver Strand, CA project was originally authorized by Section 101 of the River and Harbor Act of 1958 and was partially constructed shortly thereafter by the Corps as they built two of five originally-planned groins along the project reach.

In FY 2006, the Corps has a capability for the Imperial Beach/Silver Strand project of $1,138,000 from the Construction General account in the Energy and Water Development Appropriations Act. Of this, $138,000 will be used to complete pre-construction engineering and design of the project. The remainder of the funding will be used to begin construction of the project at the end of FY 2006.

Unfortunately, the new project design is not yet authorized for construction. The project must be authorized in a quick-moving 2005 Water Resources Development Act or in the FY 2006 Energy and Water Development Appropriations act. The authorization for the project is not controversial and has appeared in both the House WRDA 2003 and the Senate WRDA 2004. This should not preclude funding for the project to proceed, as I expect Congress to authorize the project in one of these legislative vehicles.

Construction of the Imperial Beach/Silver Strand project also must span two fiscal years due to environmental restrictions in the area because of the endangered least tern. Construction of the project is expected to take roughly six months. Because of the environmental window, construction must begin in early September and be completed in March. Those realities make the funding situation difficult. For instance, the LA District of the Corps generally receives its funding allocations six to eight weeks after Congress has passed its Energy and Water Development Appropriations bill. If Congress does not pass its legislation until December, that leaves the Corps without money for the project until roughly late February. At that point, there is not enough time to construct the

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project during that fiscal year. Even if Congress passed its funding legislation on October 1 and the LA District received its funds in mid-November, the project would not be able to be fully constructed before dredging had to be stopped for environmental reasons.

Erosion along the shoreline of Imperial Beach occurs because of two factors. The first involves a lack of sediment transfer from the Tijuana River because of three dams, two on the American side (Barrett and Morena) and one on the Mexican side (Rodriguez). These dams have stopped the traditional flow of sediment to the shoreline that would help to naturally nourish Imperial Beach during the winter months when sediment traditionally moves from south to north along the Silver Strand. Secondly, the Zuniga jetty, which protects the San Diego harbor and was built by the Corps from 1893 to 1904 disrupts the sediment transfer in the region and stops the north to south flow of sand to Imperial Beach during the summer months.

I appreciate your help in working to solve the erosion problem along the City of Imperial Beach.

CONGRESSMAN MARK FOLEY

Statement for the
Subcommittee on Water Resources and Environment
Of House Transportation and Infrastructure Committee

March 16, 2005

Mr. Chairman and Members of the subcommittee, I want to thank you for holding this hearing on project requests for the Water Resources Development Act. It is extremely important that I come before you today and to respectfully request that the Indian River Lagoon South Project (IRL) be included in this year's Water Resource Development Act. The IRL is the first Comprehensive Everglades Restoration Plan (CERP) project requiring Congressional authorization.

When Congress passed CERP, we reaffirmed the nation's commitment to America's most imperiled natural treasure, the Everglades. For almost 45 years, there has been a steady stream of clear and compelling scientific data detailing the perilous state of the Everglades. There are unnatural levels of freshwater in our estuaries, lesions on our fish, deposits of muck and phosphorous in our lakes and canals and the decline of wading birds.

CERP represented an historic partnership between all stakeholders. Agricultural interests, the Administration, utilities, the state of Florida, Indian Tribes, and environmental groups came together in an unprecedented show of cooperation to develop a plan that would protect and preserve our ecosystem. It built upon the initial commitment we as a Congress made, at my request, to provide $200 million in federal funds for Florida's Everglades restoration efforts back in the 1996 Farm Bill.

The Indian River Lagoon is a 156-mile long estuary located at the mouth of the St. Lucie River in Martin County, Florida, which is part of my congressional district. It is home to more than 4,300 species of plants and animals, and supports an annual economic contribution of more than $730 million.

Mr. Chairman, we are now at a crossroad and timing is critical. The Indian River Lagoon Plan-South (IRL) is responsible for critically addressing environmental abuses visited on the St. Lucie River, Indian River Lagoon and Lake Okeechobee by the old Central and Southern Florida Flood Control Project.

A favorable Chief of Engineers Report was issued on August 6 of 2004 and the formal review by the Department of the Army is nearing completion. Last year, the

Senate version of WRDA legislation included IRL, but Congress adjourned before there was an opportunity to work out differences with the House version. When the House WRDA bill passed in the last Congress, IRL was not ready for inclusion in that legislation.

My constituents in Martin County have been extremely instrumental in their support for the project. Not only did they organize numerous rallies and write thousands of support letters but they also voted for a three-year, one-cent sales tax to contribute over $50 million in revenue for the IRL plan effort.

The U.S. Army Corps of Engineers, Jacksonville District, did a tremendous job working in conjunction with its partner, the South Florida Water Management District, finishing the final Project Implementation Report for the IRL last year. I would like to commend Col. Carpenter and Henry Dean, the executive director of the South Florida Water Management District for their and their staff's work.

Mr. Chairman, we cannot one moment longer to authorize this project. It needs to occur this year. The success of CERP depends upon it and I believe we should not falter in our commitment to it. Thank you.

Rush Holt US-12

Testimony before the Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
Rep. Rush Holt
March 16, 2005

Mr. Chairman, thank you for providing members with this opportunity to explain the importance of WRDA projects in our district.

I would like to begin by expressing my frustration with the Army Corps handling of projects throughout the nation and in my district. Although Congress specifically authorizes projects, such as the ones that I have requested the subcommittee support, the Army Corps has repeatedly ignored these guidelines and set their own priorities. This has resulted significant delays that further distress the communities near these projects.

The most egregious example of this disregard for projects authorized in my district, is the environmental restoration of Grover's Mill Pond. Located at the site made famous by Orson Wells' "War of the Worlds" radio broadcast, Grover's Mill Pond is not only a historic site, but it is a recreation destination within West Windsor Township and a vital link in the Township's stream corridors and watershed area. Years of sediment build-up and runoff from the watershed have caused the pond to become overrun with aquatic weeds and algae.

In Fiscal Year 2003, Congress specifically designated $500,000 in funding for this project. An initial $10,000 was spent to begin a draft study, which was completed in spring 2003. In August, the Corps was then ready to begin further study work, but by that time the Army Corps headquarters had already reprogrammed the funding for other projects. In Fiscal Year 2004, the Army Corps spent $40,000 to do the first stage of the study and design phase – data collection. The Army Corps has recently informed me that no further work can be conducted until Fiscal Year 2005 funding is made available.

This pond in its current condition is not only and eyesore for the community and the residents that live near it, but gives off an unpleasant smell in the summer. Completion of this project is long overdue. I urge the subcommittee to include language in this bill that will require the Army Corps to use its funds to complete the restoration of Grover's Mill Pond.

I also request that the committee support the restoration of Rogers Pond which is located in Franklin Township, NJ. Rogers Pond is a small body of water that local emergency assistance crews use as a source for water for fire department trucks. Because of decay in the barriers around the banks, Rogers Pond is in danger of diffusing into nearby streams, leaving the township and its thousands of residents without an adequate source of water in the event of fire. Franklin Township has undertaken a plan to dredge and reconstruct Rogers Pond, and has raised local funds to undertake the project. This project was included in the WRDA bill in the 108th Congress, and I am hopeful that the Subcommittee include an authorization for this project in its bill.

Finally, I request that the subcommittee support flood damage reduction and ecosystem restoration in South River, NJ. The South River is the first major tributary of the Raritan River, located approximately 8.3 miles upstream of the Raritan River's mouth at Raritan Bay. The South River is prone to imminent and severe flooding from hurricanes and other storms. In March of 1993, a storm caused $17 million in damages and closed the highway bridge connected Sayreville and South River Boroughs.

A feasibility report, completed in September 2002, recommended hurricane and storm damage (HSD) protection from a 500-year event and ecosystem restoration for 380 acres of degraded wetlands. The HSD protection involves a storm surge barrier along the South River, two combined levees/floodwalls, and interior drainage facilities. The Army Corps has completed a chief's report for this project and executed a design agreement with the New Jersey Department of Environmental Protection. The project is currently in the Pre-construction, Engineering, and Design (PED) phase.

I urge the subcommittee to include an authorization for the South River Flood Damage Reduction and Ecosystem Restoration project when the new WRDA legislation is drafted.

Again, I would like to thank the subcommittee for hearing our testimony today. I am hopeful that you will be able to authorize these projects that will enhance the quality of life for my constituents.

Water Resources Development Act
Congressman Bobby Jindal
March 16, 2005

Coastal Erosion in Louisiana

- Through a combination of wetlands disintegration, barrier island erosion, sea level rise, and land subsidence, my home state of Louisiana is losing approximately twenty-five to thirty square miles of coastland every year.
    - The southern quarter of Louisiana is disappearing at an alarming rate -- the equivalent of nearly two football fields of land every hour, 365 days a year.
    - Louisiana has lost nearly 1,500 square miles of coast over the last fifty years.
    - We will lose another astonishing 1,000 square miles in the next fifty years if we don't adopt aggressive corrective measures now.

The Direct Impact of Coastal Erosion

- As coastal wetlands are further eroded and coastal communities sink to lower levels, the risk of overwhelming damage from storms and hurricanes will balloon.

- Already, coastal Louisiana towns like Montegut and Leeville are flooded from relatively small storms that would have had little impact just twenty years ago.

- New Orleans, already at an elevated risk from hurricanes, is experiencing an increased level of risk every year this problem is not addressed.

- Houma, Lafayette, Lake Charles, and scores of other Louisiana cities and towns below Interstate 10 aren't far behind.

- Without a significant slowdown in the rate of coastal land loss, many Louisiana families will lose homes and land that have been in their families for generations. Many of our younger generation's grandchildren will never be able to see where their grandparents grew up – because entire towns will be underwater.

- Perhaps more important to homeowners, property insurance rates will continue to skyrocket in towns across coastal Louisiana.

The Impact of Coastal Erosion on our Economy

- Roughly 20-25% of all our country's oil and natural gas flow through Louisiana's coastline, much of it

through a series of pipelines and other infrastructure not designed to withstand open water conditions.

- With further erosion of our wetlands, this infrastructure will be placed at an increasingly high level of risk of damage from severe weather.

- Our nation would share in the economic losses in the form of higher gasoline and natural gas prices, less energy security, and billions of dollars for disaster recovery.

  - The result: an economic catastrophe for our state and nation which will lead to much higher gasoline and natural gas prices, severe damage to our petrochemical industry, and the loss of much of our state's $20 billion oil and gas export business.
- Commercial fishing along Louisiana's coastline, including shellfish and fin fish, currently represents thirty percent of the nation's fisheries catch.

  - As the Gulf of Mexico and its saltwater encroach into freshwater marshes, many of these fishing grounds are being destroyed forever.

  - Both sport fishing (which represents a substantial portion of our state's tourism industry) and commercial fishing could collapse, taking seafood off our families' tables and thousands of

jobs for Louisiana's families and billions of dollars out of our state's economy.

The Environmental Impact of Coastal Erosion

- The environment of our coastal areas, which is considered of worldwide ecological significance, will also suffer from continued, rapid coastal land loss and these resources cannot be replaced if lost.
    - Increased likelihood of oil spills due to exposed oil and gas infrastructure.
    - Delicate marshland ecosystems increasingly disrupted by salinity and increased wave action.
    - Wintering habitat of many migratory birds will continue to be gradually eliminated, decreasing bird populations in North America.

What Congress can do:

- Saving Louisiana's coast should become one of the highest environmental (and economic) priorities of our nation.
- Substantial efforts have been taken by state and federal agencies to address coastal land loss in Louisiana, but much more needs to be done. What is needed now is a more comprehensive approach providing a plan to secure the entire coast.

- Current estimates have the cost of restoring the coastline at $14 billion to be spent over a period of twenty to thirty years. The principal strategies this plan would employ include diversions, restoring and maintaining the barrier islands, forming a new delta, using a pipeline slurry system of sediment transfer, beneficial use of sediment materials, and shoreline protection. There are signs that some of these approaches are beginning to work in the limited scale projects that have already been completed.

- Because this amount of funding is nearly equivalent to that of our entire state budget for one year, federal help is essential. Obviously, we can't do it alone, and we need the federal government to cover the vast majority of the total cost of this work.

STATEMENT OF CONGRESSMAN PAUL E. KANJORSKI

BEFORE THE HOUSE SUBCOMMITTEE ON WATER RESOURCES AND ENVIROMENT

WEDNESDAY, MARCH 16, 2005

Mr. Chairman, thank you for inviting me to testify before the Water Resources and Environment Subcommittee to discuss my water resources priorities for Northeastern Pennsylvania. Let me also thank the Subcommittee for its past support of important projects in my district.

Enhancing flood protection and improving water quality remain as two of my top priorities. The legacy of devastation caused by Hurricane Agnes in 1972 remains prevalent in the minds of my constituents. And the recent flooding caused by Tropical Storms Charlie and Ivan highlighted the remaining gaps in flood protection throughout the region.

Water quality also remains a problems due to two main factors: 1) the environmental devastation caused by the coal mining era, and 2) the significant cost associated with modernizing existing environmental infrastructure systems. With a modest federal investment authorized under the Water Resources Development Act, the projects that I have submitted for your consideration will help address these problems and, in turn, should encourage economic growth in my congressional district.

FLOOD CONTROL PROJECTS

WYOMING VALLEY LEVEE RAISING PROJECT

First of all, I would like to convey to the Subcommittee my support for some alterations to the Wyoming Valley Levee Raising Project authorization. I appreciate the Subcommittee's past support of this vitally important project.

The Wyoming Valley Levee Raising Project is a comprehensive structural and non-structural flood control project whose purpose is to protect the communities in the Wyoming Valley of Northeastern Pennsylvania from serious flooding. The project includes more than 50 communities and 5 counties along a 60-mile stretch of the river.

When the Corp constructed the original flood protection system over sixty years ago, the levees eliminated access to the Susquehanna River for thousands of residents of the Wyoming Valley. Unfortunately, the Corps never provided assistance to mitigate the effect that the loss of access had on the community. As a result, the elimination of easy

access to the river has caused the community to view the Susquehanna as a liability rather than an asset.

The legislative language that I have submitted for the Subcommittee's review would allow the Corps to develop the locally preferred non-structural mitigation plan. With the completion of the flood protection component of the levee, we now have an opportunity to transform this liability into an asset by creating an inviting atmosphere where people can take advantage of proximity to the waterfront.

The Corps has determined that Solomon Creek in Luzerne County is hydrologically linked to the Susquehanna River. Adequate flood protection is lacking along Solomon Creek. Fortunately, the Water Resources bill offers us an opportunity to address this issue.

Through your courtesy, Section 3079 of H.R. 2557, which, as you know, overwhelmingly passed the House during the 108th Congress, included language that would have permitted the Corps to construct a flood control project along Solomon Creek under the Wyoming Valley Levee Raising Project authorization. Inclusion of this language in the new WRDA bill will ensure that the Solomon Creek project can be completed in an effective and efficient manner.

Residents of the Town of Bloomsburg, which is also located on the Susquehanna River, are continually subjected to the risk of flooding. Because of this fact, the Corps is currently studying the feasibility of constructing a flood control project in Bloomsburg. The Corps has informed me that it expects to issue a final report before the end of the calendar year that will highlight the feasibility of this project.

Protecting Bloomsburg from flooding is more than just a public safety issue. It is also a matter of economic development. In fact, some of the major industries in Bloomsburg have stressed that the construction of a flood wall is a necessary prerequisite to remaining in the Bloomsburg area.

In light of these factors, I respectfully request that the Subcommittee include language to authorize the construction of the Bloomsburg flood control project contingent upon the completion of a final report.

Another project for which I am requesting the Subcommittee's support is the Nanticoke Creek Ecosystem Restoration Project in Luzerne County. The Corps expects to finalize a favorable report later this year.

The restoration is needed, in part, because of the negative legacy left behind by the anthracite mining era. Cracks within the Creek's streambed at various points in the watershed cause the stream water to temporarily disappear into underground deep mine

shafts. After coming into contact with remnant coal and refuse from past mining, the water resurfaces severely degraded with high levels of iron.

Moreover, a large portion of the stream systems within the Nanticoke Creek watershed have completely dry streambeds as a result of stream flows entering the fissures and flowing through the underground mine tunnels. A construction authorization is therefore needed to prevent any unnecessary delay in reclaiming this area. Therefore, I am requesting that the Subcommittee authorize the construction of the Nanticoke Creek Ecosystem Restoration project subject to a final report from the Army Corps of Engineers.

The final flood control project for which I am requesting the Subcommittee's support is the Olyphant Flood Control Project in Lackawanna County. Over the course of the past few years, the Corps has revised its original estimate for this project and has informed me that an authorization of $50,000,000 is now necessary to ensure that this project is not subject to any further delays.

The need for the authorization increase is due to the fact that the Corps has determined that the Olyphant project will, once fully completed, induce flooding in the nearby communities of Throop and Dickson City. Both of these communities are located on the Lackawanna River and lack adequate protection. The authorization increase will permit the Corps to address the problems that the Olyphant project will ultimately cause in these municipalities.

ENVIRONMENTAL INFRASTRUCTURE AUTHORITY

In addition to flood control project authorizations and modifications, I am also requesting that the Subcommittee include language in the bill to permit the Army Corps to undertake environmental infrastructure projects in Northeastern Pennsylvania.

Due to the level of economic distress and financial constraints, communities in my congressional district lack the financial capacity to address these problems without support from the federal government. These environmental problems, in particular those brought on by previous absence of federal protections against rapacious mining techniques, continue to impede economic progress in the region. Permitting the Army Corps to address these problems in a comprehensive manner will help the region reverse this unfortunate legacy.

For your consideration, I have submitted language that would alter the following authorities to include parts of my district:

- Title III of the 1992 WRDA;
- Title II, Section 219 of the 1992 WRDA;

- Title II, Section 219 (f)(11) of the 1992 WRDA;

On a related note, I am also requesting the Subcommittee's support to increase the authorization level for the Chesapeake Bay Environmental Restoration and Protection Program, which was established under Section 510 of the 1996 Water Resources Development.

Because the Susquehanna River provides more than half of the fresh water for the Chesapeake Bay, improving the river's water quality is a vital component of the bay restoration initiative. Nevertheless, the water quality of the Susquehanna River, a part of which runs through the heart of my district, continues to be degraded due to the existence of countless environmental infrastructure problems and the local municipalities simply do not have the financial capacity to address these issues. The environmental restoration efforts necessary to enhance the water quality of the Susquehanna River, and indeed the Chesapeake Bay watershed, therefore require a strong federal commitment.

In conclusion, I would like to thank you, Mr. Chairman, and the rest of the Subcommittee on Water Resources and Environment for your consideration of these projects. I look forward to working with each of the Subcommittee members on these projects and yield back the balance of my time.

JAMES P. McGOVERN
3RD DISTRICT, MASSACHUSETTS

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March 16, 2005

Testimony of U.S. Representative James P. McGovern Before the Subcommittee on Water Resources and the Environment

Good Morning, Mr. Chairman.

I want to thank you for this opportunity to present testimony before your committee and to explain two projects of vital importance to my district.

1. **John H. Chafee Blackstone River Valley National Heritage Corridor**

First, I ask you to support the **John H. Chafee Blackstone River Valley National Heritage Corridor.** The subcommittee can support this vital project by amending a prior authorization in the Water Resources Development Act (WRDA) of 1996, to would allow for planning, design, and construction funding to be made available.

This project is part of an ongoing urban neighborhood revitalization in the City of Worcester and the surrounding region. The main purpose of the project is to re-open and re-create sections of the historic Blackstone Canal.

The Blackstone Canal first opened in 1828 and served to spawn the industrial revolution in the City of Worcester and indeed across the United States. Over time, sections of the canal were filled in and/or buried as rail became the primary means of moving goods. This particular neighborhood has suffered blight as many of the industrial properties within the neighborhood have become vacant and derelict. This canal project has spurred new investment in the area and has the potential to serve as a catalyst for further economic development and growth.

A professional feasibility study of the canal project was completed in June 2003 and estimated the total project cost at $20 million. The state's 2004 transportation bond bill included funding for this project, which could ultimately serve as the local match to the Corps' participation. I would be happy to provide the subcommittee with excerpts of this feasibility study if you like.

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I respectfully request that you support the requests for the John H. Chafee Blackstone River Valley National Heritage Corridor and thank you for your consideration.

2. Taunton River and Fall River Harbor

Second, I would ask for your support of the project for navigation of the harbor of Fall River, Massachusetts. The subcommittee can support this project by continued authorizing that the depth of the portion of the project extending riverward of the Charles M. Braga, Jr. Memorial Bridge, Fall River and Somerset, Massachusetts shall not exceed 35 feet.

This request would complement the City of Fall River's comprehensive waterfront redevelopment master plan which includes a marina on the Taunton River. The redevelopment of the waterfront will attract new marine traffic to Fall River Harbor and this continued authorization is necessary to accommodate the additional marine traffic within the Taunton River.

I urge you to support this request and appreciate your attention and thank you again for your time.

Sincerely,

James P. McGovern
Member of Congress

March 16, 2005

STATEMENT FOR THE RECORD

CONGRESSWOMAN DORIS MATSUI

SUBCOMMITTEE ON WATER RESOURCES & ENVIRONMENT

WATER RESOURCES DEVELOPMENT ACT OF 2005

Thank you, Mr. Chairman.

I represent the 5th Congressional District of California and I am pleased to appear before your today on behalf of the Sacramento Area Flood Control Agency (or SAFCA).

Mr. Chairman, as you know, the Sacramento region is in jeopardy of catastrophic flooding. Thanks to the leadership of this Committee, much has already been done to address the flood control needs of the region. Indeed, several project authorizations are already in place that, once completed, will provide in excess of 200-year flood protection for much of the area.

Completion of the authorized flood control improvements for Sacramento is one of my highest priorities.

Today I appear before the Subcommittee to seek its support for modification of two projects.

Credit for non-federal at the Natomas Levee

Construction of the Natomas Levee Improvement Project was initiated and completed by SAFCA totally at non-federal cost, estimated at $80 million. Pursuant to Public Law 102-396, SAFCA and the Corps of Engineers entered into an agreement for the federal government to reimburse SAFCA for the Federal share of the cost of the project. The total amount expended by SAFCA for the Natomas project that would have been the federal share is approximately $40 million, of which only $16 million has been reimbursed by the Corps of Engineers. The balance is still due. However, in view of the

Corps' funding constraints and the difficulty of obtaining reimbursements, SAFCA is seeking authority for a "credit" towards its future cost-sharing commitments on other flood control projects. My proposal would allow SAFCA to convert the remaining federal reimbursement requirement associated with the Natomas Project into a credit that would be applied toward other authorized flood control projects. All costs expended by SAFCA would be fully audited by the Corps of Engineers before credit was allowed. This approach would recognize the substantial effort SAFCA has already made and would expedite completion of remaining projects. Mr. Chairman, this provision is urgently needed to allow SAFCA to move forward with its cost-sharing commitments.

Magpie Creek

My second request relates to a small flood control project known as Magpie Creek. Through SAFCA's initiative, the Corps is currently looking at a revised project at Magpie Creek that is not only less expensive but also more environmentally compatible than the original project design. The proposed improvements include construction of a low floodwall on top of an existing levee, minor improvements to the levee and, as its main feature, the purchase and preservation of approximately 76 acres of privately owned flood plain. My proposed legislation would (1) acknowledge the purchase and preservation of the floodplain acreage as a "non-structural" component of the project; and (2) allow credit to the non-Federal sponsor for the work paid for by SAFCA in re-formulating the project.

Mr. Chairman and Members of the Subcommittee, I would be glad to provide additional details on these requests. I congratulate you on moving forward with the Water Resources Development Act of 2005.

Thank you.

TESTIMONY PRESENTED TO THE HOUSE TRANSPORTATION AND INFRASTRUCTURE SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT FOR MEMBER PROJECT REQUESTS FOR THE "WATER RESOURCES DEVELOPMENT ACT OF 2005"

Rep. Candice Miller
U.S. House of Representatives
March 16, 2005

Good morning and thank you for giving me the opportunity to testify before you about a critically important issue to me and my district—erosion and water levels in Lakes Huron and Michigan.

Imagine the amount of water pumped daily to the 4.3 million customers of the Detroit water system throughout Wayne, Oakland, Macomb, St. Clair, Lapeer, Genesee, Washtenaw and Monroe counties – an average of 675 million gallons each day. That's less than what some scientists believe may be drained from the Great Lakes each day because of excessive erosion of the St. Clair River. Recently a report was released that estimates that 845 million gallons of precious Great Lakes water is lost each day because erosion has allowed water to flow more quickly out of Lakes Michigan and Huron and down the St. Clair River. Even worse, this increased flow has contributed to a permanent drop of as much as 12 inches in the long term average levels of those lakes.

This shocking study confirmed what avid boaters on the Great Lakes have known for some time – that the difference between the level of Michigan and Huron relative to the level of Lake Erie is shrinking. Experts have long known that dredging in the St. Clair River and other projects to improve navigation have reduced the levels of Michigan and Huron by as much as a foot and one half. But now, this new research reveals that the total drop may be as much as two and one half feet. Especially, when water levels are low, this loss of water can have devastating and costly consequences for homeowners and boaters as well as for fish and wildlife that depend on coastal habitat for spawning and nesting grounds.

Over the past 150 years, mining for sand and gravel in the St. Clair River and dredging of a 27 foot channel to allow for large ore and grain carriers to navigate through the Great Lakes have

fundamentally changed the way water flows between the lakes, dramatically speeding up the flow of water that eventually runs through the St. Lawrence Seaway out to the Atlantic Ocean. The change could be compared to switching from a garden hose to a fire hose to water your lawn, and the results have been just as dramatic.

Engineers who completed the study believe that dredging in the early 1960s, in particular, may be to blame for lower water levels because removing the hardened top layer of the river bottom exposed softer material that was easily washed away by the increased flow. They theorize that scouring of the river bottom has nearly doubled the depth of the channel, for example, just south of the Bluewater Bridge. However, even though officials with the Army Corps of Engineers acknowledge a change in river flows, they believe other factors may be the reason for the change in water levels. These factors could include a difference in the net supply of water to Lake Erie versus the supply to Michigan and Erie (i.e. more rain and snow). Or, it could be the way the earth has rebounded from being squished by glaciers some 10,000 years ago. Another factor might be a reduction in sand supply to the St. Clair River caused by shoreline protection measures built along the shores of Lake Huron and harbor construction near the mouth of the river.

There is one thing all these scientists and engineers agree upon – more study is needed to answer the question of why water levels in Huron and Michigan have not rebounded like the other Great Lakes. That's why I have asked the U.S. Congress to authorize $2.5 million for the Army Corps of Engineers, in cooperation with other government agencies and their counterparts in Canada, to develop a three-dimensional model of the St. Clair River. This study will collect all the available information about water supplies over time, determine whether changes in channel depths are the result of excess erosion and if such erosion is continuing, measure the impact of these changes on water levels, estimate the water loss, and most importantly, provide recommendations on stopping the water loss. In addition, this 3D model of the St. Clair River will show how chemical spills flow downstream, giving water plant managers the information they need to close water intakes and protect public health.

Groups ranging from the National Wildlife Federation to the Great Lakes Commission to the Macomb Water Quality Board have endorsed this study because they understand it's time to plug the drain in the Great Lakes.

I urge my colleagues in Congress from Michigan, from throughout the Great Lakes and across the nation to support this measure and protect our nation's greatest source of freshwater.

Statement of Congressman Charlie Norwood
Hearing on Member Requests for the Water Resources
Development Act of 2005
March 16, 2005

We are assembled today to conduct a legislative hearing on the Water Resources Development Act of 2005.

This bill contains project authorizations, modifications and deauthorizations, program revisions and policy initiatives, and related provisions involving Corps activities.

My primary goal today is to bring the committees attention to a very worthy Corps of Engineer project in my District. The New Savannah Bluff Lock and Dam (NSBLD), completed in 1937, is located 187 miles above the mouth of the Savannah River, approximately 13 miles downstream from Augusta, Georgia. There are ten large industries and municipalities dependent upon steady water flow and water depth for proper operations. In downtown Augusta, the pool is the site of several annual boat races and regattas. In the vicinity of the lock and dam there is heavy recreational boating, fishing and day use, particularly at the 52-acre adjacent recreation area.

The lock and dam is an obstacle to migration of spawning fish. In WRDA 2000, as amended, Congress provided authorization for transfer of the project to North Augusta/Aiken County, SC after repair of the lock and dam and addition of a fish passage, all to be done at full federal expense. North Augusta and Aiken County have indicated their willingness to accept the structure after the repairs and fish passage are complete. A Congressional Add in FY 2002 provided PED funds.

FY 03 funding was used to complete the modifications to the Section 216 Report to reflect Congressional direction. This report submitted in March 2003 included 35% design for the repairs to the lock and dam and construction of the fish passageway and a corresponding MCASES cost estimate. This report, also includes a revised Division Engineer's notice and a draft MOA to be implemented between the ASACW and the City of North Augusta and Aiken County, SC. Upon receipt of approval of the Section 216 Report, execution of the MOA with the locals, and appropriation of funds project design can be completed and construction contracts can be awarded. Remaining FY 03 funds were used to complete design to 100% for the mechanical work

associated with the operation of the lock. This is the most critical portion of all work that has the highest probability of failure. It can be awarded as a stand-alone construction package ahead of all other work.

The main purpose of my testimony today is to emphasis the fact that the Army Corps of Engineers is not authorized to advance funds for future maintenance on this project in the creation of an escrow account. Without this authorization, although extensive planning has been accomplished and both parties are in agreement on the terms of the transfer, the Memorandum of Agreement (MOA) can not be signed, and the project can not move forward. Therefore, Mr. Chairman, I request $577,000 be authorized to allow this MOA to be signed between these partners to allow construction on this important project to begin.

Charlie Norwood

Testimony of the Honorable Rep. Frank Pallone, Jr. (NJ-06)

Subcommittee on Water Resources and Environment
Hearing on Member Project Requests
Water Resources Development Act of 2005

March 16, 2005

Thank you, Chairman Duncan, Ranking Member Johnson, and Members of the Subcommittee. I appreciate the opportunity to come before you and discuss the WRDA projects and provisions that affect my district in coastal New Jersey.

Along with Congressman Holt, I requested that your Subcommittee include an authorization of the South River Flood Damage Reduction and Ecosytsem Restoration project. The South River, a tributary of the Raritan River in Middlesex County, is prone to imminent and severe flooding from hurricanes and other storms. In fact, in March 1993, a storm caused $17 million in damage and closed the highway bridge connecting South River and Sayreville.

A chief's report has been completed on this project, and the Corps has already executed a design agreement with the non-federal sponsor, the New Jersey Department of Environmental Protection (DEP). Since this project's total cost is over $100 million, WRDA authorization is extremely important.

Not far away, in Union Beach, the Corps is planning a Hurricane and Storm Damage Reduction project. Low-lying residential and commercial buildings in the area experience flooding during hurricanes and other storms -- a problem that has worsened recently with the loss of protective beaches and increased urbanization.

A chief's report for this project is expected within the next month or two, after which the Army Corps will execute a design agreement with the local sponsor, the New Jersey DEP. This project will cost a total of $97 million, so again I must emphasize the importance of WRDA authorization.

Congressman Holt and I also requested an authorization for the Marlboro Township Watershed Projects. This is an innovative program developed by the Corps' New York District office as part of an effort to involve smaller communities and constituencies that often don't have the resources to develop a multi-stage federal project. Based on a similar, successful program in the Lake Champlain area, the Corps would set up a framework for local communities to implement small watershed restoration projects without getting repeated authorizations or funding from Congress. The projects would be governed by a General Management Plan developed by the Corps. I ask that you approve our request for the Marlboro Township Watershed Projects to be authorized.

Finally, on a programmatic note, I would like to request that WRDA 2005 include modifications to annual funding limits on aspects of the Continuing Authorities Program. CAP funds many of the small projects that are vitally important to communities across New Jersey, and CAP programs have frequently been oversubscribed. In particular, I urge you to increase to $75 million the ceiling on Section 205, Small Flood Control Projects; Section 206, Aquatic Ecosystem Restoration; and Section 1135, environmental improvement projects. I would also like to see the ceiling increased to $20 million on Section 14, Emergency Streambank Protection; and to $50 million for Section 107, Small Projects for Navigation.

Again, thank you for giving me the opportunity to tell you about the projects and programs in WRDA 2005 that are important to my district. I look forward to working with all of you and your staffs on this legislation.

Testimony of Hon. Dana Rohrabacher
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
March 16, 2005

Mr. Chairman, I thank you for the opportunity to testify today regarding the Water Resources Redevelopment Act. There are two items I wish to address today: a storm water infrastructure project in Huntington Beach, California and a legislative provision which will provide a better way of improving port infrastructure.

In Huntington Beach, California the storm water infrastructure is, in many cases, over 40 years old and badly in need of improvement or replacement. This past February, California suffered through what the experts call a "100 year flood event." I call it a whole lot of rain. I sat on my porch and watched it rain for days. And while the flood control systems did the job, it was evident that we still face a major challenge.

The storm exposed California's inability to control urban runoff in storm conditions. The current infrastructure obviously could not protect Huntington Beach with from health threatening pollutants carried down stream with the rainwater. Sewage pump stations were overwhelmed by the volume of water, or simply shut down due to power loss, causing millions of gallons of untreated waste water to be released into the rivers and ultimately, the Pacific Ocean, fouling the water for days and weeks afterward. Clearly we need to vastly improve the water infrastructure.

Huntington Beach and the surrounding area sit like the narrow end of a funnel at the end of three rivers and a vast network of drainage channels, where polluted urban runoff from hundreds of square miles is consolidated at the coast. The dynamics of this system assure that if the downstream systems in Huntington Beach fail, then massive amounts of polluted urban runoff and raw sewage from all over Southern California are dumped right into our coastal waters. Storm water infrastructure repair and upgrade in Huntington Beach will remedy this situation. Specifically, the addition of pump stations, increasing the capacity of existing facilities and improving storm water conveyance will provide the residents of the Huntington Beach area the safeguards needed for flood protection, the delivery of clean drinking water, and the preservation of our Pacific Ocean coastline. For these reasons, I urge the inclusion of this request in the WRDA bill.

This leads to the second part of my testimony. As Members of Congress, any one of us can identify hundreds of projects that are worthy, as I just have, and billions of dollars to be spent on those worthy endeavors. But somewhere along the way, the Congress has stopped asking: How are we to pay for all of these necessary improvements ? The Federal government is currently running deficits in the neighborhood of a half trillion dollars per year. It is against this reality that I request that the provisions of my bill, H.R. 494, which allows U.S. ports to levy fees on a per container basis, be included in WRDA.

Our nation's ports are among our nation's most significant infrastructure assets. The ports of Long Beach and Los Angeles, for example, handle nearly half of the goods imported into the U.S. Trillions of dollars worth of foreign manufactured goods are transported through our ports and into American markets to compete with domestically manufactured products. Yet almost without question Congress continually appropriates money for the expansion, upkeep and maintenance of these facilities. We are essentially subsidizing companies from China and the rest of the world so that they can more easily ship foreign goods to our shores, while domestic companies are taxed to pay for the bill. This is a bitter irony to many embattled American manufacturers: that their tax dollars have paid for the transportation costs of their foreign competitors goods.

This amendment will allow ports, like those in Long Beach and Los Angeles, to levy a fee on each container that is processed by those facilities. The proceeds from this fee must be used for security and infrastructure improvements at the port, alleviating at least a portion of the federal burden in these improvements. This provision is a true user fee. It permits the port facilities to charge the people that receive the benefit, which is access to our markets for their goods. I am in favor of vigorous free markets, but a free market philosophy does not require that the U.S., to our detriment, subsidize the access of foreign companies to our market. These federal subsidies to the nation's ports often benefit companies that employ slave labor and whose profits go to pay for the funding of the Chinese People's Liberation Army. To say this is not good for America on a number of levels , is to put it mildly.

Further, this proposed fee authority is self-regulating. The agencies that run the ports can choose to levy the charge at any rate they deem appropriate. Or, they can opt not to levy a fee at all. The limit of the fee will be determined by market forces. Ports that charge too much will, in the end, see their traffic decrease, and will have to lower it. Most importantly, however, they will be able to raise their own revenue, and not have to come to Congress every year, hat in hand. It's time to end this senseless subsidy and inch toward a responsible federal budget by passing port container fee authority as part of WRDA. Let's get the money we need from those foreign manufacturers who benefit from port improvements instead of wringing out of the withered hide of the few surviving manufacturers who are struggling to keep made in America part of our current lexicon. I thank the Committee for this time.

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Ileana Ros-Lehtinen

Statement for the Subcommittee on Water Resources and Environment Subcommittee of the House Transportation and Infrastructure Committee

Cong. Ileana Ros-Lehtinen

March 16, 2005

Mr. Chairman, Ranking Member Johnson, on behalf of the citizens of the Florida Keys, I would like to thank you, and the Members of the Water Resources and Environment Subcommittee for the opportunity to testify today. It is extremely important that I come before you today to respectfully request that the reverse osmosis water treatment plant project in Florida City be included in this year's Water Resource Development Act.

As the sole provider of domestic water service to the Florida Keys, the Florida Keys Aqueduct Authority is tasked with supplying the 88,000 full-time residents and an additional 80,000 seasonal residents with fresh potable water. The Aqueduct Authority currently obtains its water from the fresh groundwater Biscayne aquifer in Southwest Dade County. Groundwater is pumped from 60-80 ft deep wells and treated in a lime softening plant located southwest of Florida City on the mainland. The treated water is then pumped through a 130-mile long transmission main to Key West, serving the entire Florida Keys along the way.

The same Biscayne aquifer serves as the principal sole source of fresh drinking water supply for all of Dade, Broward and Palm Beach Counties. Because of the skyrocketing population growth and water demand of Southeast Florida, the South Florida Water Management District has undertaken development of long-term comprehensive regional water supply plans to provide better management of South Florida's water resources. The Florida Keys Aqueduct Authority well field is located in the Lower East Coast Region and the plan includes recommended withdrawals from the Florida Keys Aqueduct Authority well field over a 20-year planning period. Prevention of groundwater withdrawals from Everglades National Park, and continued stabilization of the saltwater intrusion line are major factors influencing the Lower East Coast Region Water Supply Plan's recommended withdrawals from Florida Keys Aqueduct Authority's well field. The South Florida Water Management District relies heavily on these recommended

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withdrawals in the development of Water Use Permits for the Florida Keys Aqueduct Authority's Biscayne aquifer well field.

The Aqueduct Authority's well field near Florida City is particularly vulnerable to withdrawal restrictions because of its close proximity to Everglades National Park to the west, and to the saltwater intrusion line to the south and east. The reverse osmosis water treatment plant project is made necessary by this need to limit the Aqueduct Authority's withdrawals from the Biscayne aquifer in order to protect and enhance the waters of the Everglades and Everglades National Park. Due to these limitations, I ask for your assistance in securing an authorization under section 219 of the Water Resources Development Act of 1992, for $15,000,000 for water supply infrastructure including facilities for withdrawal, treatment, transmission, and concentrate disposal for the Florida Keys Aqueduct Authority.

The Florida Keys Aqueduct Authority is moving forward on this plan to supplement its permitted Biscayne aquifer water withdrawals with brackish groundwater from the 1,000-ft deep upper Floridian aquifer. Assuming that withdrawal restrictions from the Biscayne aquifer will continue and additional Biscayne water will not become available in the future, the plan calls for a new upper Floridian aquifer well field to be constructed at the current Florida City site. The brackish water would be treated at the new reverse osmosis desalination plant constructed adjacent to the existing J. Robert Dean Water Treatment Plant. The treated upper Floridian water would then be blended with the treated Biscayne aquifer water to supply future water demands for the Florida Keys.

The development of alternative water supply for the citizens of the Florida Keys is vital to the fragile ecosystem of South Florida, and inclusion of this project in the Water Resources Development Act this year is essential to meeting those needs. Thank you.

Statement of Congressman Christopher Shays to the Subcommittee on Water Resources and Environment

March 16, 2005

Chairman Duncan, Ranking Member Johnson, and other members of the Subcommittee on Water Resources And Environment: thank you for holding this Hearing on Member Project Requests for the Water Resources Development Act of 2005.

I would like to express my support for three projects.

First, I support a request from the Bridgeport Port Authority for the subcommittee's assistance in correcting a problem with the authorization in Section 345 of the Water Resources Development Act of 2000 (WRDA).

Section 345 of WRDA 2000 authorizes a demonstration of innovative methods of dredge material disposal, and seems to require a 35 percent nonfederal cost share. This 35 percent nonfederal share typically applies to environmental restoration projects. However, the Section 345 demonstration program is being used to find more environmentally friendly ways to dispose of spoils from Long Island Sound federal maintenance projects.

Since federal maintenance dredging is 100 percent federally-funded, requiring a 35 percent cost share for this demonstration project will result in a disincentive to use innovative treatment technology in maintenance of federal projects -- the opposite effect desired by Congress.

Second, I support a request from the Fairfield Harbor Management Commission for the subcommittee's assistance in redesigning the existing Federal Navigation Project at Southport Harbor in Fairfield, Connecticut.

Specifically, the Fairfield Harbor Commission would like to relocate the current boundary between the nine-foot Federal anchorage and nine-foot Federal channel to approximately 850 feet downstream from its current position. In other words, approximately 850 feet of the existing navigation channel will become part of the nine-foot Federal anchorage. This will enable the most efficient use of the Harbor for public mooring and will enhance public use of the Navigation Project.

Third, I would like to express my support for a request from the Bridgeport Port Authority to deauthorize a portion of the Federal navigation project (FNP) in Bridgeport Harbor, Connecticut.

The Bridgeport Port Authority would like to narrow the authorized Yellow Mill River channel from 200 feet to 150 feet from where it joins Bridgeport Harbor up to the Stratford Avenue Bridge. This would accommodate the expansion at the Bridgeport Regional Maritime Complex and allow for greater flexibility for Derecktor Shipyards to maneuver their boats and provide for more efficient use of their piers and slips. It is also necessary because there is currently not enough linear footage along the Yellow Mill River to accommodate Derecktor Shipyards. According to the Bridgeport Port Authority, this modification will not impede navigation or have a negative impact on any water dependant user upstream of the Yellow River site.

It is my understanding both of these proposed alterations have the support of the Army Corps of Engineers.

I encourage your support and appreciate your consideration of these requests. Thank you for your time.

Statement of Rep. Bart Stupak
Hearing on the Transportation Subcommittee on Water Resources and Environment
Proposals for a Water Resources Development Act of 2005
March 16, 2005

Mr. Chairman, thank you for providing the opportunity to testify before your Subcommittee today. I appreciate your willingness to allow me to discuss issues that are extremely important to the people of my district.

Menominee River Dredging

I would like to ask that the WRDA 2005 re-authorization include language to reauthorize the dredging depths in the Menominee harbor and channel, Menominee, Michigan to 24 feet and 26 feet respectively. Congress originally authorized this dredging in 1960, which was deauthorized by the Army in an administrative action due to a lack of funding as required by WRDA 1986. This language reauthorizes and ensures that it is consistent with depths that were authorized in 1960.

The present NOAA-certified depth of 20 feet for the Menominee harbor channel depth dates back to 1931. While harbor depths of 20 feet may have been adequate for ships back then, a 1959 detailed Corps study reported the size of cargo ships using Menominee, Michigan ports increased significantly in the mid-1950's. Unfortunately, many of today's cargo ships cannot safely navigate in harbors with 20-foot clearances.

Dredging the river and channel to 24 and 26 feet would make these ports accessible to the larger ships and would be important to the economic growth in my hometown of Menominee, Marinette, WI and the other regions of the country with which they trade.

Manufacturing, shipbuilding, and transportation industries account for over a third of the region's employment and rely heavily on access to competitive port facilities. The additional depth would benefit deep-draft commercial vessel traffic, which has seen an annual increase in port tonnage by 12% from 1997 through 2001 and are anticipated to continue.

Dredging of the Menominee River and Channel has been subject to at least a dozen studies submitted to Congress over the past century. The 1959 Corps' study recommended dredging to the depths I am proposing today. It also included support from the then-Governors of Michigan and Wisconsin, and findings of no adverse impact by the relevant agencies.

Assessments by the environmental agencies of Michigan and Wisconsin indicated the proposed dredging would not harm local fish and wildlife.

I have introduced legislation, H.R. 667, to reauthorize this project, and Senator Levin has introduced companion legislation. I ask that you support the inclusion of this bill in WRDA.

Ontonagon Harbor – East Pier Walkway

Next, I would like to request the project at Ontonagon Harbor, Michigan, be modified to direct the Corps to design and construct repairs to approximately 500 feet of concrete walkway.

For a number of years, I have been attempting to assist the people of the Village of Ontonagon, MI, in restoring harbor improvements which have been severely damaged over a period of years by wave action resulting from an Army Corps project at the harbor.

This walkway was constructed and paid for using local and state funds just prior to the beginning of the 1995 Corps pier project. These repairs by the Corps would eliminate the structural conditions in the original Corps project which caused the severe wave action and damage.

The changes in wave action that were caused by the Corps project and which caused massive damage to the piers also have almost completely destroyed the east pier walkway. It is presently unusable, and has become a safety hazard because of the federal project.

I ask that specific language be included in WRDA 2005 stating Congress' intent and direction that the Ontonagon's east pier walkway be restored by the Corps because of the damage resulting from this federal project. The hazard created at the east pier walkway has threatened safety long enough. It is now the proper time to authorize the restoration and repair of the east pier walkway.

Au Sable River Dredging

The next request I would like to make is a project for navigation, located at the Au Sable Harbor at Au Sable River, Oscoda, Michigan, is a recreational dredging project that would extend the authorized limits of the Federal navigation channel upstream to a point approximately ¼ mile west of the US-23 Highway Bridge, at a depth of 10 feet.

Due to below normal water levels it is critical to dredge this small portion of the Au Sable River so that boaters would be able to access local marinas, restaurants, and other businesses.

Without this dredging, boaters could be prevented from accessing this river, as severe damage may be caused to their vessels. This would have a devastating impact on the local economy, as tourism is the primary source of revenue for the area, including the city of Oscoda.

Traverse City Harbor Dredging

Finally, I would like to ask that language be included for a navigation project at Northwestern Michigan College in Traverse, City, Michigan. NMC and its Great Lakes Maritime Academy (GLMA) have begun the process of renovating the harbor at their Great Lakes Campus in Traverse City.

The revitalized Traverse City Harbor will build on numerous other community improvements, including the new Great Lakes Maritime Academy facilities, the new T/S State of Michigan training vessel, and the new community learning center facilities.

The harbor project will serve multiple programs and purposes within the region and State, including supporting the operations of our nation's only freshwater state maritime academy, and the five vessels associated with the program.

It would also provide research and experiential access for the Great Lakes Water Studies Institute and its educational and stewardship programs, public access to a new fishing pier, and research access and support for partner universities including Grand Valley State University, Michigan State University, University of Michigan, Michigan Technological University, Ferris State University, University of Wisconsin-Superior, and University of Minnesota-Duluth.

The Great Lakes Campus Harbor is truly unique in its ability to serve as an educational, research and professional training harbor. It is currently the only secure harbor in the Traverse City area that complies with current homeland security requirements. As such, it has become the Traverse City port of entry for the emerging Great Lakes cruise ship industry.

NMC has secured local funding of $1.3 million (of the approximately $3.1 million required) for renovating approximately one-half of the harbor and expects those renovations to be complete during 2005. These initial monies will allow the use of approximately 60% of the harbor space effectively.

To complete harbor renovations and allow NMC to meet the needs listed above, additional work must be completed. That work includes dredging, construction of an eastern arm, reconstruction of the inner harbor area, and general site improvements. This project would need to be authorized in order to see it to completion.

Mr. Chairman, thank you for this opportunity to submit testimony regarding the Water Resources Development Act. I appreciate any help that you and the Subcommittee can offer to include these important projects.

Statement Of
Representative Lynn A. Westmoreland
8TH Congressional District of Georgia

Before The
Subcommittee on Water Resources and the Environment
Committee on Transportation and Infrastructure
House of Representatives

On The
Water Resources Development Act of 2005

Wednesday, March 16, 2005

Mr. Chairman and members of the Subcommittee, I am here to offer my strong support for your efforts toward passage of a Water Resources Development Act during this session of Congress. Pursuit of a national water resource policy should be a major priority for America. Providing navigation, flood control and protection of the nation's rivers along with management of critical water resources is vital to the health of our local economies, communities and environmental quality for generations to come.

I would like to pay tribute to your leadership, Mr. Chairman, and to the committee's support of legislation to further protect water resources. It is also important to recognize the technical, planning and construction expertise and the many valuable contributions of the Army Corps of Engineers and its environmental restoration mission.

My Georgia colleagues from the Columbus area and I respectfully ask that the Chattahoochee Fall Line Ecosystem Restoration Project be included in the legislation you are now developing. The committee's previous inclusion of the Chattahoochee Fall Line Ecosystem Restoration Project in the act of 2003 is very much appreciated.

The falls at Columbus, Georgia and Phenix City, Alabama are the last on the Chattahoochee as it flows to the Gulf of Mexico. In the late 19th and early 20th centuries construction of the Eagle & Phenix and City Mills dams transformed the river while supporting the emerging economies of these two cities.

Now through the work of these two communities with the help of the Corps of Engineers the opportunity is at hand to release the Chattahoochee again. Liberation of

the river will restore important habitat for the shoal bass and other aquatic species and will provide white water for kayaking and similar recreational opportunities.

I am pleased to report that the two cities and the greater communities at large from the Lower Chattahoochee River Keeper to business organizations such as Up Town Columbus are squarely behind this project to restore the falls. Additional support is provided by the Chattahoochee Fall Line Alliance; the Greater Columbus Chamber of Commerce, the Historic Columbus Foundation, the Phenix City- Russell County Chamber of Commerce, the Historic Chattahoochee Commission, the Alabama Rivers Alliance and the U.S. Fish and Wildlife Service. With this diverse coalition we have a win-win situation.

The project will have many benefits including: habitat restoration for a variety of fish and other species; enhancement of the river's environmental resources and recreational potential; further support for riverfront restoration by the two cities; and extension of local and regional efforts for eco-recreation and related economic benefits for this part of both states.

This project has been through the feasibility study process by the Corps of Engineers and is ready for implementation. The request previously submitted to the committee asks authorization of $5 million to breach the existing dams, restore natural conditions, and complete this restoration project. I would like to thank the Corps particularly its Mobile Office for the expertise it has provided to bring the project to this point.

Thank you for this opportunity to appear today. I look forward to working with you and the committee for this important legislative initiative.

TESTIMONY OF REPRESENTATIVE HEATHER WILSON BEFORE THE WATER RESOURCES AND ENVIRONMENT SUBCOMMITTEE ON THE WATER RESOURCES DEVELOPMENT ACT OF 2005

03/16/2005 - Mr. Chairman, I am pleased to be here to voice my support for the three project authorization requests that I submitted to the House Transportation and Infrastructure Committee for the Water Resources Development Act of 2005.

Mr. Chairman, I represent the First Congressional District of New Mexico which is bisected by the Rio Grande River. I think it is important for the committee to have a little background of the unique historical, biological, and hydrological factors of the Middle Rio Grande to illustrate how critically important my project authorization requests are to the Southwest.

Chaco Canyon in northwestern New Mexico was the home to many indigenous southwestern peoples from A.D. 850 to 1250. Unfortunately, the Chacoans ingenuity in storing and channeling water was not enough to save them from a 50-year drought that began in 1130. The Chacoan pueblo people left Chaco Cayon in stages and established a string of pueblos along the Rio Grande and a few other desert rivers.

Mr. Chairman, U.S. Army Corps of Engineers (Army Corps) and U.S. Bureau of Reclamation (BOR) flood control and reclamation projects along the Rio Grande and its tributaries, that store water during wet years for use during dry years, ensure that New Mexico's current population will not have to relocate during extended periods of drought - like the Chacoans were forced to do more than eight centuries ago.

However, the demands on the Middle Rio Grande are immense and growing. The flows of the Middle Rio Grande serve the biggest city in New Mexico, Albuquerque, many smaller cities, six Indian pueblos, a network of agriculture users, many of whom irrigate the same land as their Spanish ancestors did over 4 centuries ago, and the endangered silvery minnow, which, under a 2003 U.S. Fish and Wildlife Service Biological Opinion, requires 180 miles of continuous minimum river flow in the Middle Rio Grande. These demands have stretched New Mexico's average allotment of 393,000 acre-feet of Rio Grande water under the 1938 interstate compact that apportions the Rio Grande between Colorado, New Mexico, Texas, and Mexico, New Mexico, to the limit.

My three requests would authorize appropriations for the Army Corps to continue to collaborate with local partners on projects that help stretch New Mexico's limited share of the Rio Grande and continue assisting local communities with their wastewater treatment infrastructure needs.

My first request would authorize the appropriation of funds for construction of the Southwest Valley Flood Reduction Project. This project would alleviate the ponding that occurs in the South Valley section of Albuquerque, New Mexico, due to inadequate storm facilities. Currently, the Southwest Valley is subject to flooding from runoff from an adjacent mesa. Flood waters pond in developed areas because they cannot drain by gravity flow to the Rio Grande. This project will reduce the contamination of wells and increase the quality and quantity of waters reentering the Rio Grande from the valley.

The feasibility study for this project was completed in 2004; the Chief's Report was signed in November 2004; and preconstruction engineering and design is nearly complete. The feasibility study's estimated project cost is $18,000,000, with the federal share $11,700,000 and the non-Federal share $6,300,000. Bernalillo County and the Albuquerque Metropolitan Flood Control Authority are splitting the costs of the non-federal share. The project's estimated completion date is 2010.

My second request would modify Section 593 of the Water Resources Development Act of 1999 (Public Law 106-53) to increase the authorization authority from $25,000,000 to $75,000,000. Section 593 authorizes the Army Corps to provide assistance for design and construction for water-related environmental infrastructure and resource protection and development projects in Central New Mexico. The Corps anticipates reaching Section 593's $25,000,000 authorization authority limit in FY06.

This program provides design and construction assistance in the First, Second, and Third Congressional Districts in New Mexico to non-Federal interests in Bernalillo, Sandoval, and Valencia Counties, for publicly owned water related environmental infrastructure and resource protection and development projects. Projects include wastewater treatment and related facility water supply, conservation and related facilities, storm water retention and remediation, environmental restoration, and surface water resources protection and development.

Modifying this authority would permit the Army Corps to continue to collaborate with local partners on conservation projects such as lining irrigation ditches and centuries old acequia conveyance systems and assist communities with their wastewater infrastructure water needs.

The Army Corps anticipates reaching Section 593's $25,000,000 authorization authority limit in FY06. Increasing Section 593's authorization authority would allow the appropriation of funds for the Corps to continue this critically important conservation and infrastructure work for years to come.

My final authorization request is for a new continuing authority for addressing environmental restoration and management on the Rio Grande and its tributaries within the state of NM. The program would consist of two main components: (1) planning, design and construction of small habitat rehabilitation and enhancement projects and (2) a long term river data acquisition and management program. The program would be authorized as a continuing authority with an annual funding limit of $25,000,000 with a 75/25 federal/local cost share arrangement.

This proposal would authorize the appropriation of funds for the Army Corps to collaborate with local partners on habitat rehabilitation and enhancement projects that would help alleviate the intense ESA pressures on the river, without displacing existing water users.

Recently, the Army Corps began removing non-native invasive species like the Russian Olive and Salt Cedar on Federal land that have overrun the riparian areas along the Rio Grande. This authorization would allow the Corps to continue this work, in collaboration with local partners, off federal land along the entire stretch of the Rio Grande in New Mexico. A single Salt Cedar can consume up to 200 gallons of water per day during growing season. This is more than the average Albuquerque household consumes in a day. Finally, a long term river data acquisition and management program would allow the Rio Grande's water managers to more accurately understand and distribute its scare flows.

The Army Corps and BOR projects that regulate the flows of the Rio Grande have managed, thus far, to accommodate the expanding demands of our cities, industries, Indian pueblos, and endangered species, without widespread displacement of its historical agriculture users. Interior Secretary Gale Norton and former Assistant Secretary for Water and Science Bennett Relay's recent Water 2025 report states that the potential for water conflict along the Middle Rio Grande by 2025 is highly likely.

If included in the Water Resources Development Act of 2005, my project authorization requests will allow the Army Corps to continue to help stretch the limited flows of the Rio Grande and hopefully will help prevent a water conflict along the Middle Rio Grande well into the future. They also would allow the Army Corps to continue to assist local communities in my district with their much needed wastewater infrastructure needs.

Mr. Chairman and members of the committee thank you in advance for considering my requests.

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