



Position Statement on a 2018 Water Resources Development Act (WRDA)

In order to maintain the safety and resilience of our nation’s coastlines, Congress must continue a two-year cycle for passing Water Resource Development Acts (WRDAs) and pass a WRDA in 2018. The 2018 WRDA should include:

1. Policy that **requires the US Army Corps of Engineers (USACE) to develop, and maintain, a multi-year schedule of priorities for federally-authorized coastal projects¹ that incorporates a regional approach to coastal resilience.**
2. Policy that **requires the Corps to calculate the full range of benefits** when evaluating coastal projects, including:
 - a. **Reducing storm damage** to property and infrastructure; promoting **public safety**; protecting, restoring, and creating **aquatic ecosystem habitats**; **enhancing shorelines**; promoting **recreation**; supporting **risk management adaptation**; other public **economic or environmental benefits**.
3. Language to clarify that **Flood Control and Coastal Emergency (FCCE) funding should be used to repair damaged beaches to pre-storm levels and/or bring the beach to its design level of protection, whichever is greater.**
4. **Authorization for:**
 - a. **the South Atlantic Coastal Study (WRDA 2016, Sec. 1204) at full federal expense.**
 - b. **construction for coastal storm damage risk reduction projects** that have an approved Chief of Engineers report.
 - c. **a California Sediment Management program.**

Explanation

1. Policy that **requires the USACE to develop, and maintain, a multi-year schedule of priorities for federally-authorized coastal projects that incorporates a regional approach to coastal resilience.**

The USACE budgeting process needs greater transparency. Every year a USACE work plan is released that includes project funding for the current fiscal year, with no clear indication of what projects will be funded in future years. This makes budgeting and planning extraordinarily difficult for local project sponsors. Single year budgeting for coastal projects through a work plan also hinders long term planning

¹ “Coastal Projects” refer to coastal storm or hurricane damage risk reduction projects; coastal flood risk reduction projects; inlet management projects and coastal ecosystem restoration projects.

and project coordination that could improve regional resilience through the interaction of multiple projects.

USACE districts should develop and publicly distribute a multi-year schedule of priorities for federally authorized coastal projects. Only the first year would have funding guaranteed, but local sponsors, the public and congress could see what projects were expected to be funded in future years. This list should be updated and maintained annually to address changes in priority and amount of funding available. Including a project on the multi-year list would not guarantee that project would be funded or even included on the priority list in future years. However local sponsors could use the schedule as a guideline for when they would expect to need their cost-share, Congress could see what funding was needed to accomplish all of the USACE's priority coastal projects, and communities' whose projects were not included as priority could make project adjustments to increase their competitiveness.

This type of budgeting process has been embraced in both the private and public sector. Multi-year budget planning is standard practice in business, and five year development plans are used throughout the military.

Critical to the development of any multi-year schedule of priorities is active stakeholder engagement to ensure (a) projects are being accurately advanced in an appropriate, transparent manner, and (b) stakeholders are engaged in the formulation of federal coastal priorities. Additionally, a multi-year schedule of priorities from a district should have oversight at regional level – presumably through USACE divisions – to encourage regional resilience and beneficial interaction of projects across the natural coastline and district boundaries.

2. Policy that **requires the Corps to calculate the full range of benefits** when evaluating coastal projects, including:
 - a. **Reducing storm damage** to property and infrastructure; promoting **public safety**; protecting, restoring, and creating **aquatic ecosystem habitats**; **enhancing shorelines**; promoting **recreation**; supporting **risk management adaptation**; other public **economic or environmental benefits**.

Coastal projects are often hampered by Benefit Cost Ratios (BCRs) that calculate the full cost of a project, but only calculate the benefits provided by project's authorized purpose. For example, a beach berm and dune system authorized as a coastal storm damage risk reduction project is likely to have ecological benefits (for nesting birds or turtles) and recreation benefits, both of which result in regional and national economic benefits above and beyond what are calculated for the project's risk reduction benefits. However that project's BCR will include the full cost of the project – including costs to mitigate for ecosystem damage – but will not include benefits except for risk reduction.

The *Economic and Environmental Principles and Guidelines* (P&G) adopted by the Water Resources Council in 1983 (79 FR 77460) creates four accounts for the purposes of evaluating proposed water resources projects, including National Economic Development (NED); Regional Economic Development

(RED), Environmental Quality (EQ), and Other Social Effects (OSE). USACE's own P&G direct them to look at multiple benefits of water resources projects, however they has not implemented the P&G to include this more holistic view of the value of water projects. Congress must, therefore, provide clear directive to the USACE to account for multiple benefits in coastal projects.

Requiring the USACE to calculate the full range of benefits provided by projects that achieve multiple purposes is good accounting and will result in projects that provide greater societal benefits.

3. Language to clarify that **Flood Control and Coastal Emergency (FCCE) funding should be used to repair damaged beaches to pre-storm levels and/or bring the beach to its design level of protection, whichever is greater.**

Section 3029(a)(2)² of the Water Resources Reform and Development Act (WRRDA) 2014 directs the USACE to rebuild projects damaged or destroyed by natural disasters to be more effective than when the storm hit. It directs the USACE to bring the project back to "design level of protection" and the project "may include modifications to... address major deficiencies or implement nonstructural alternatives". This was intended for USACE to rebuild projects after a storm to a standard as good or better in reducing flood risk, than before the storm. However, for beach projects that still had advance fill in place and had not yet eroded to the minimum level of protection designated by "design level" prior to the storm, rebuilding to design level leaves them worse off than before the storm. For these projects, USACE should replace all the sand eroded by the storm.

Furthermore, when calculating sand losses between pre- and post-storm surveys, the losses should be counted within the entire beach profile template (including design berm and advanced nourishment berm).

We therefore recommend the following **redline** changes to WRRDA 2014 Sec. 3029 language

SEC. 3029. EMERGENCY RESPONSE TO NATURAL DISASTERS.

(a) Emergency Response to Natural Disasters.--Section 5(a)(1) of the Act of August 18, 1941 (33 U.S.C. 701n(a)(1)), is amended in the first sentence—

(1) by inserting "and subject to the condition that the Chief of Engineers may include modifications to the structure or project" after "work for flood control"; and

(2) by striking "structure damaged or destroyed by wind, wave, or water action of other than an ordinary nature when in the discretion of the Chief of Engineers such repair and restoration is warranted for the adequate functioning of the structure for hurricane or shore protection" and inserting "structure or project damaged or destroyed by wind, wave, or water action of other

² See the implementation guidance: http://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/wrrda2014/wrrda2014_impguide/

than an ordinary nature to **either the immediate pre-disaster level or** the design level of protection, **whichever provides greater protection**, when, in the discretion of the Chief of Engineers, such repair and restoration is warranted for the adequate functioning of the structure or project for hurricane or shore protection, subject to the condition that the Chief of Engineers may include modifications to the structure or project to address major deficiencies or implement nonstructural alternatives to the repair or restoration of the structure if requested by the non-Federal sponsor. **Sand losses between pre- and post-storm surveys should be counted within the entire beach profile template (including design berm and advanced nourishment berm)".**

4a. Authorize the South Atlantic Coastal Study (WRDA 2016, Sec. 1204) at full federal expense.

In the WIIN Act, Sec. 1204, congress authorized a South Atlantic Coastal Study “of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.” In light of the 2017 hurricane season, this authorization seems incredibly prescient. However, in the absence of language indicating otherwise, the USACE has determined this study will require a 50% local cost share. The study is likely to cost approximately \$10 million dollars, but getting 6 states and 2 territories to agree on a \$5 million cost share for a study that will identify vulnerabilities but not authorize federal projects is, in practicality, impossible. We therefore request that this authorization be amended to clarify it can be completed at full federal expense.

There are many examples of regional studies of national significance being authorized at full federal expense, including the North Atlantic Coast Comprehensive Study. Reducing the vulnerability of the South Atlantic region to hurricanes and storm surge is unquestionably a national priority: Since 1851, the South Atlantic region has had nearly 50% more direct hurricane strikes than the rest of the U.S. combined.³ The South Atlantic has greater property value in low lying⁴ coastal areas than the rest of U.S. combined.

We therefore recommend the following **redline** changes to WRDA/WIIN Act 2016 Sec. 1204 language:

SEC. 1204. SOUTH ATLANTIC COASTAL STUDY

(a) IN GENERAL.—The Secretary shall conduct a study, **at full federal expense**, of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

³ <http://www.sad.usace.army.mil/SCA/>

⁴ South Atlantic Division has \$572 billion in property value in coastal areas below six feet above “mean higher high water”, the rest of the country has \$521 billion.

4b. Authorize construction for coastal storm damage risk reduction projects that have an approved Chief of Engineers report.

Authorizing construction of water infrastructure projects that have undergone a feasibility study, have a positive benefit-cost-ratio, and received a positive chief's report is the very essence of WRDA. Congress should authorize all coastal projects that have approved chief's reports.

4c. Authorize a California Sediment Management program.

The proposed WRDA section will accommodate the identified coastal solutions through the implementation of specific regional projects.

History:

- 1981 - Federal Coast of California Storm and Tidal Waves Study (CCSTWS) (Section 208 of 1965 Flood Control Act and House Energy and Water Development Appropriations Committee's bill 97-177) began with objective to "Document, quantify and understand the past, present and future coastal changes and processes." The CCSTWS was completed in 2003.
- 2000 – The USCOE implemented the National Regional Sediment Management Demonstration Program to specific regional RSM plans. The US Coast was divided into eight shoreline regions one of which was the California Coast.
- 2016 – Coastal Regional Sediment Management Plans for 10 regions completed, nearly covering the entire 1100 miles of California coastline. Each plan will identify potential RSM projects, policies, studies and a local/regional governance structure. In some cases, Programmatic Environmental Documents will have been completed as well. Regional developed scopes promote collaboration and support of projects by the regional public agencies and NGOs.

Key elements.

Scope: Identifies RSM projects for funding through a new Federal Authority specific to the California Coast. Can include a wide array of project purposes associated with coastal issues i.e. storm damage reduction, beneficial reuse of dredged materials, sediment source protection, environmental restoration, and beach restoration.

Funding: California/Federal Government will function as cost share partners which increases probability for project funding. Promotes more active participation on the part of cost share partners. State cost share can be cost shared with regional partners.

Process: The Amendment call provides for a streamline process for project implementation. Reduces the time for the traditional overly burdensome federal project review and permitting. Eliminates traditional stove pipe approach. Blending existing federal authorities for a more cost effective project. Aligns with current federal policy initiatives for regional approaches for project development.

Joint project management: Establishes a project office comprised of appointed State and Federal officials to recommend projects for funding and to oversee project implementation.

Integration of existing Federal Authorities: The WRDA Amendment allows for the integration of existing Federal Authorities for increased project effectiveness and provide for cost savings.

Not only will successful passage of a new WRDA authorized RSM implementation program benefit California, but it will also serve as a national model that can be used by the country's other seven coastal regions to better address the National RSM program.

Proposed Legislative Language:

SEC. _____ WRDA Language for Authorization of a California Sediment Management Program

(a) IN GENERAL.—

(1) In cooperation with the State of California, the Secretary shall establish a California Coastal Sediment Management Program ("Program") for the purpose of constructing projects using a systemwide approach to increase the resilience of the California coast and address its water resources needs.

(A) The Program shall undertake construction of projects recommended by the Federal-State California Regional Sediment Management Master Plan, authorized by Study Resolution Docket 2672, adopted by the House Transportation and Infrastructure Committee on May 22, 2002.

(A) The Program shall be jointly managed by the Army Corps of Engineers and the State of California.

(B) The Secretary shall assure the integration of existing authorities to increase the effectiveness and reduce the cost of projects identified for construction under the Program.

(C) Measures undertaken through the Program shall include, but not be limited to coastal erosion, storm damage reduction, environmental restoration, environmental infrastructure for the purpose of preventing pollution from stormwater runoff, recreation, and the protection of life and the promotion of public safety.

(b) FORM OF ASSISTANCE.—Federal assistance provided to the Program shall be in the form of planning, engineering, design and construction funding. The Federal share of Program costs may be provided in the form of grants or reimbursements to the non-Federal interest as well as appropriated funds.

(c) PROGRAM IMPLEMENTATION.--

(1) The Secretary shall enter into a partnership agreement with the State of California that provides for the-

(A) Establishment of a Federal-State Program management structure for the purpose of collaborating in the construction of projects.

(B) Execution of cost-sharing or other agreements deemed necessary in order to carry out the purposes of the Program;

(2) The Secretary shall recommend cost-effective projects, but shall not perform benefit-cost analyses to identify recommended projects, and shall not make project recommendations based on maximizing net national economic development benefits.

(3) In the development of Program projects, the Secretary shall, to the greatest extent possible, use existing data collected under the Coast of California Storm and Tidal Waves Study as authorized by Section 208 of the Flood Control Act of 1965 and the California Coastal Sediment Master Plan, as authorized by Study Resolution Docket 2672, adopted by the House Transportation and Infrastructure Committee on May 22, 2002, in addition to data and analyses thereof developed by the State of California and its political subdivisions, as well as academic and scientific institutions and shall provide in-kind credit to the non-Federal interest for the use of such data.

(4) The Secretary shall use the resources of Corps Headquarters, Divisions, Districts and the Corps' Planning Centers of Expertise as integral members of the project delivery team to expedite the completion of project planning, engineering and design as well as compliance with all applicable State and Federal laws.

(5) COST SHARING.— The Federal share of the cost of projects under this section shall be determined by Section 103 of the Water Resources Development Act of 1986, as amended, and by other applicable statutory authorities.