

**Statement of
The American Shore & Beach Preservation Association
Submitted to the
Committee on Transportation and Infrastructure
U.S. House of Representatives
On the
Water Resources Development Act of 2007:
A Review of Implementation in its Third Year
March 3, 2010**

Chairman Oberstar and Ranking Member Mica, on behalf of the American Shore & Beach Preservation Association, we thank you for inviting our comments on issues regarding the implementation of WRDA 2007. ASBPA is a part of the Water Resources Coalition, which is also testifying today. ASBPA's testimony is meant to highlight some of the provisions of WRDA 2007 which have a significant impact on the coast, which is where a majority of Americans live and whose effective stewardship is so critical to our nation's future.

It is hard to believe that over two years have passed since the enactment of this historic legislation. As this Committee knows, water resources are vital to a robust national economy, the protection of Americans from storms, floods and other disasters, and the enhancement of our precious environmental resources. Therefore, we are extremely grateful that the Committee is taking this opportunity to provide oversight on this issue, and hope that you will find time to continue to use public forums such as this to determine how the decisions of Congress are being carried out. We also would be seriously remiss if we did not publicly express our gratitude to both of you and to all the members of this committee and its professional staff of the committee for being so supportive of the Federal coastal restoration program over the past 25 or more years.

While we and our water resources allies have concerns about the pace of the Corps' issuance of implementation guidance, we are equally aware of two factors. First, Corps Headquarters has very limited complement of staff. While some on this Committee might disagree with our view, day-to-day dealings with high-ranking Corps Headquarters staff have made it clear that the individuals who have to make fiscal and policy decisions as well as those whose responsibility it is to improve the ability of the Corps to communicate internally and externally are assigned to two or three areas of responsibility. This is a direct result of the lack of support for funding the Corps' General Expense account.

Second, in some cases, Congress has not provided the Corps with the funding to implement WRDA 2007 policy directives.

Section 2038: National Shoreline Erosion Control Development Program

Section 227 of WRDA 1992 created a program to test new technologies that will improve the performance of Federal beach restoration projects and reduce their cost. Section 2038 contains important modifications to that program. For example, the original “Section 227” program did not permit the Corps to cost-share these projects with local governments. In addition, where the tested technology has worked, Section 227 did not permit the technology to be seamlessly integrated into an existing Federal beach restoration project. These and other weaknesses have been corrected in Section 2038. The changes were designed to make this program more attractive to local sponsors and less costly to U.S. taxpayers. However, they exist only in legislative language approved by Congress and signed by the President. They do not exist in actuality. We cannot afford to let the lack of Section 2038 implementation guidance stall this critical program.

Section 2033(e): Centers of Planning Expertise

The Corps established via an internal directive in 2003 six Centers of Planning Expertise that were intended to provide specialized talent, expertise in the various aspects of their mission, and to enhance and supplement the capabilities of districts. They are also very involved in the internal and external review process for proposed projects.

Since 2006, ASBPA and its members have made extensive use of the National Planning Center for Coastal & Storm Damage based in the North Atlantic Division. As with the other Centers, what we refer to as the Coastal PCX operates as a virtual center with a “staff” composed of a few top experts in that Division who can call on the expertise of other specialists in Divisions, Districts, and other offices and centers of the Corps throughout the nation. Coastal restoration studies take at least 10 years to complete. Errors that can be caught and improvements that can be made prior to review can be avoided and corrected with the assistance of the PCX. Without the active intervention of the Coastal PCX, the time and taxpayer cost of repairing mistakes and resolving difficult issues related to those studies would have been daunting to local sponsors at best and a deal-killer at worst.

Unfortunately, the only “implementation guidance” for this provision has been limited to a March 12, 2009, letter from the Assistant Secretary of the Army for Civil Works to the Deputy Commanding General for Civil and Emergency Operations requesting an “update briefing on how each of the Centers is currently operating and an assessment of their capabilities, needed improvements, and further funding requirements.”

This embarrassing effort is symptomatic of the failure to appreciate how critical the Centers of Expertise are to the Corps’ civil works program. Implementation guidance should be crafted to help make Districts and local sponsors aware of the Centers and how to use them. This will require implementation guidance that is more than a letter from the ASA(CW) asking for a mere update on the Centers.

Section 2032: Water Resource Priorities Report

Given the persistence of serious floods over the past few years and the prospect of increased risks associated with flooding, ASBPA has been concerned about the lack of its implementation. This section mandates a report on the vulnerability of the United States to flooding, an assessment the extent to which Federal programs either are reducing risk or may be adding to risk, and proposals to change Federal programs so they reduce risks to human life and property in different regions of the country.

The need for risk assessment – which the title of this section does not adequately describe – is obvious. Section 2032 provides the Corps of Engineers with the direction and authority to examine risk assessment and risk reduction in the broadest and yet most practical approach imaginable. Unfortunately, the Corps requested funding to do the required report but has so far received no appropriation from Congress.

Section 2031: Principles and Guidelines

ASBPA has filed extensive comments on the draft P&G revision released nearly a month ago by the Council on Environmental Quality. Not only do we conclude that the draft is seriously flawed and must undergo a major overhaul, but we also believe the CEQ-led effort is not consistent with the intent of Congress as contained in Section 2031. That section requires that all water resources projects should reflect national priorities, encourage economic development, and protect the environment. Therefore, Section 2031 recommends a more equitable treatment of benefits than is proposed in the CEQ Draft.

Thank you once again for this opportunity to submit our views to the Committee. We will be happy to respond to your questions and comments.

Founded in 1926, the ASBPA promotes the integration of science, policies and actions that maintain, protect and enhance the coasts of America. For more information on ASBPA, go to www.asbpa.org, [facebook](#) or www.twitter.com/asbpa. For information about this statement, contact president@asbpa.org or beaches@asbpa.org.