

**Testimony of the American Shore & Beach Preservation Association  
On the Water Resources Development Act of 2010  
Senate Committee on Environment and Public Works  
November 17, 2010**

**A. Introduction**

The American Shore & Beach Preservation Association is dedicated to advocating for those policies that benefit the communities and resources of coastal America. We do not support or oppose specific water resources projects. However, we do advocate for policies that recognize the importance of water resources to America. What happens along our coasts is inextricably linked to the health and welfare of all 50 states.

The growing backlog of navigation and flood protection work increases the vulnerability of the nation each year. We compel Congress to look closely at the way in which water resources projects have been identified and funded traditionally and determine improvements that will better protect the nation's water resources. We urge you to work closely with the many agencies, NGOs and others who regularly work on these issues to assist in identifying a better way to do the nation's business.

For the past several years, ASBPA has been a fervent advocate of planning and managing water resources projects on a regional basis. Along the coast, there are channel dredging projects that impact adjacent beaches as well as environmental resources. To date, these projects have been planned, managed and funded by Congress individually.

Section 2037 of WRDA 2007 made a major step in the right direction by providing the Corps of Engineers with a regional sediment management authority to accomplish the objectives of coordinating projects and their impacts. However, it is severely limited in that it only applies (a) where there is a Federal navigation project, and (b) where there is sufficient sand available from the dredging of that project to meet the regional water resource planning and management needs. This restriction hamstring non-Federal interests and the Corps in making sure the multiple purposes of reducing coastal hazards, using adaptive management for existing projects, coordinating new and existing water resource projects to save significant taxpayer costs, and assuring that the impacts of planned or existing projects have a beneficial, rather than a harmful, impact on environmental resources. The restriction contained in Section 2037 also limits

affected stakeholders from having input in the planning and management of Federal water resource projects.

*ASBPA has proposed language for the next WRDA legislation that would correct these problems. We urge the Committee to support these changes.*

## **B. Additional WRDA 2007 Issues**

There are a few other issues related to WRDA 2007 and its implementation which we would like to bring to the Committee's attention.

### **Section 2038: National Shoreline Erosion Control Development Program**

This program was established by Section 227 of WRDA 1992. It is designed to test new technologies that will improve and/or reduce the cost of Federal beach restoration projects. There are testing sites in Cape May Point, NJ; Ventura, CA; Miami-Dade County, FL; Hawaii; Jefferson County, TX; two in Great Lakes states; and two more in California.

Section 2038 makes improvements to this program but also moves it under the Section 103 Continuing Authorities Program for small shoreline protection projects. While ASBPA has issues with that decision, the more pressing issue is the lack of implementation guidance for Section 2038. The old Section 227 program apparently remains in force until the guidance is adopted by the Corps. This leaves both the Corps' Coastal Hydraulics Laboratory, which administers the program, local project sponsors, and firms that wish to bid in the peer-reviewed competitive process for designs of new technology in limbo. The changes made in Section 2038 were designed to make this program more attractive to Federal taxpayers and local sponsors. However, they do not exist in actuality. We urge the Committee to take appropriate action to assure that the lack of Section 2038 implementation guidance does not stall this critical program.

### **Section 2033(e): Centers of Planning Expertise**

The Corps established, via an internal direction in 2003, six Centers of Planning Expertise that were intended to provide specialized talent to enhance and supplement the capabilities of districts. Since 2006, local sponsors and Corps Districts have made extensive use of the National Planning Center for Coastal & Storm Damage based in the North Atlantic Division.

Just as 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. This is critical given the fact that not every Corps district located along the coast can have the staff time or the expertise to conduct all aspects of feasibility studies in a manner that meets the standards required by WRDA 2007 and internal Corps directives that preceded that legislation.

As important as these Centers are, they operate without a budget. The Coastal PCX uses Division funds as well as small amounts from the feasibility studies for which their help is called just to meet travel expenses. The lack of funding also means that the PCX is unable in most

cases to use District experts because their personnel are paid out of the studies being conducted by that District.

We were pleased when Section 2033(e) of WRDA 2007 provided legislative authorization for the Centers of Expertise. Unfortunately, the only “implementation guidance” for this provision was a March 12, 2009 letter from the Assistant Secretary of the Army for Civil Works (ASA(CW)) 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 lack of effort is symptomatic by Corps leadership to understand the need for these Centers of Expertise. For at least the Coastal PCX, it is a need that goes far beyond their role in the prescribed internal review process. Feasibility studies for beach projects take a minimum of 10 years before internal, let alone, external reviews. The Coastal PCX has been involved in studies ranging to Massachusetts to North Carolina and onto Louisiana, Texas and California. Without their active assistance, the time and cost of repairing mistakes that could have been avoided is daunting to local sponsors at best and a deal-killer at worst.

Unfortunately, not only is Corps Headquarters not fully aware of the role of the Coastal PCX, but Corps Districts are extremely reluctant to ask for their assistance. Local study sponsors also need to know that they can request the assistance of the PCX. The process for explaining to the Divisions and Districts the role of these Centers, the reward they will get when they ask for assistance and the means by which they and/or the local sponsors can make that request should be the meat of the Section 2033(e) implementation guidance, not a letter from the ASA(CW) asking for an update on the Centers.

### **C. Other Priority Recommendations for WRDA 2010**

For the past 15 years, ASBPA has fought Administration policies that have reduced or excluded beach nourishment projects from the President’s budget. These policies have led to a situation where Members of Congress make requests to add funding for projects in their states and districts based on requests from their constituents. While there is a process in place to assure that these requests are within the “capability” of the Corps of Engineers, there is no process in existence that enables the Corps to provide Congress with information that would prioritize beach nourishment projects based on factors such as public safety, sea level rise, environmental resources, etc.

*ASBPA urges the inclusion of language for the next WRDA legislation that would mandate a report from the Corps that recommends a science-based method of prioritizing beach nourishment projects. The data to do this is readily available to the Corps. However, the Office of Management and Budget will prevent them from providing the information to Congress unless mandated to do so in the next WRDA.*

Just over 400 of America’s over 84,000 miles of coastline are part of beach restoration and nourishment efforts that are partially-funded by the Federal government. Each federally-funded project brings storm damage reduction, environmental, economic, and public safety benefits. To

plan, “construct”, manage and maintain each of these projects on a one-by-one basis is wrong. ASBPA believes that responsible coastal stewardship requires a “Big Picture” view and regional approaches that are implemented at the State and local levels.

Increasing coastal erosion and sea level rise, coupled with periods of East and Gulf Coast hurricanes, West Coast El Nino’s, and the rise and fall of the levels of the Great Lakes are reason enough for Congress to take the lead in bringing the stakeholders concerned about the welfare of the Coast together, not just for a meeting, but for a mission to recommend to Congress and the Corps of Engineers the policies that will bring about a national commitment to coastal health. This nation rightly is concerned about the health of our oceans. Since oceans reach our coastal shoreline, dealing with the health of oceans without a parallel effort to deal with the health of our coastal shorelines is harmful to both.

The Corps’ planning process is increasingly bogged down in unnecessary internal rules and procedures. This means that studies take far more time and money than they did just a few years ago. Regrettably, all that additional time and money does not result in a project that is more effective. Our observations do not reflect our view of the review processes that Congress and the Corps have adopted since WRDA 2007. Those processes need to be given more time before we can come to any conclusions. We certainly do not recommend that the project review provisions of WRDA 2007 be expanded in any way in the next WRDA bill.

The excessive expenditure of time and money caused by the Corps’ planning is undermining the Federal coastal program. Studies that take 10, 15 or more years to reach the final review stage test the fortitude of local sponsors. They come to the Federal government looking for both the expertise and the funding they need. What they find is a process whose frustration must be endured because of the money local sponsors commit before they realize they are in for much more than they bargained for.

Beyond the Corps processes is the problem of the Corps’ coastal planning expertise. That agency is losing experienced planners to retirement. At the same time, younger employees find they have a more stable future in the private sector. Congress is simply not providing adequate or consistent study funding which in turn means that District commanders cannot seek and retain the staff they need to meet non-military coastal needs.

Those local sponsors who have Federal nourishment projects in place now face an even more frustrating problem. Congress has in WRDA committed to a 50-year period of shared cost maintenance of the project. The local funds are there, even in these times of fiscal constraint. The Federal funds are not. There are projects awaiting Federal periodic nourishment appropriations from as long ago as 2006. These projects are time bombs. What benefits they continue to offer can be wiped out in a strong storm. If that happens, the Federal government will provide the disaster funding to repair the damages to property that would have cost far less to prevent. And if that happens, there will be a cost to public safety and environmental degradation that no FEMA program can reimburse.

ASBPA urges that the next WRDA address as many of these issues as possible and pledges to work with this Committee to achieve that objective.