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ZERO NEW STARTS IN HOUSE ENERGY & WATER DEVELOPMENT BILL

Congress generally includes a handful or more of new studies and construction projects for the Corps of Engineers each budget cycle, referred to as New Starts. However, this year House appropriators heard from one or more individuals at Corps Headquarters that the Corps is overloaded with work and cannot take on any New Starts. This isn't true, and as a result, no New Starts were included in the House version of the Energy & Water Development appropriations bill – even if the project was earmarked by a Member of Congress. Apparently, the Senate didn't hear the same thing because its bill includes several New Starts accompanied by report language detailing the process for the Administration to propose a package of New Starts to Congress. Note: New Starts requested by the Senate are limited strictly to projects authorized in WRDA22.

This lack of coordination results in multi-year delays for communities who began working with the Corps towards new shore protection projects. While Corps HQ may have some districts that are overloaded with work, others are not. House Appropriators will now have to negotiate the final number of New Starts in the final bill, which will hopefully allow earmarked projects to receive New Start designations. Corps employees are encouraged to reach out to WaterLog to share their feedback anonymously.

SENATE WRDA PASSAGE

The Senate approved its version of the Water Resources Development Act of 2024 (WRDA 24) last month. The House also overwhelmingly passed its version of WRDA in July, 359 to 13. Now, both the Senate EPW (Environment & Public Works) and House T&I (Transportation & Infrastructure) Committees will begin the conference process in order to reconcile differences among the two bills. Currently, different provisions exist in each bill, with some noteworthy sections are listed below:

House Version

Sec. 102. Community Project Advisor: Establishes a new position to assist non-federal interests in accessing federal resources related to water resources development programs of the Corps,

conduct outreach, hold workshops, etc. with priority given to rural, small, and disadvantaged communities.

Sec. 104. Study of Water Resources Development Projects by Non-Federal Interests: Amends section 203 of WRDA 1986 to enable a non-federal interest to undertake and submit to the ASA(CW) a proposal to undertake a project and receive credit or reimbursement as provided by existing law. Also enables a non-federal interest to propose carrying out modifications to a project that has been previously constructed.

Sec. 146. Easements for Hurricane and Storm Damage Reduction Projects: This section allows projects to proceed with a non-perpetual easement under certain conditions, including a formal notice to residents that the lack of a perpetual easement may result in the Corps being unable to renourish or repair the project.

Senate Version

Sec. 113. Planning Assistance for States: This section expands the authority of the Secretary to under the Planning Assistance to States program to include title research for abandoned structures.

Sec. 115. Silver Jackets Program: This Section allows the Secretary to continue the “Silver Jackets Program.” This is an interagency team that facilitates collaborative solutions to state flood risk priorities.

Sec. 214. Authorization of Feasibility Studies for Projects from CAP Authorities: This section allows the Secretary to authorize feasibility studies for projects already initiated under the Continuing Authorities Program. This act also directs the Secretary to use any relevant information from the existing studies.

BUDGET BATTLE BREAKDOWN & SUPPLEMENTAL AID REQUEST

House Republicans promised to pass appropriations bills through regular order for FY25. However, the House broke for summer recess passing only 5 of the 12 spending bills. Senate budget committees managed to approve 11 of the 12 spending bills before leaving for the August recess. However, the full Senate has yet to advance any of those bills on the floor.

Senate appropriators have recently punted the Homeland Security spending bill into September given last-minute debates over how much money the Secret Service ought to get. That issue is on top of resolving the hot-button issue of border funding so it’s no surprise this bill is taking more time to work out. In addition, a \$4 billion supplemental aid request (*see July edition of WaterLog*) by the Biden Administration is also still pending in the bill. The Homeland Security bill also funds the Federal Emergency Management Agency (FEMA), which is expected to burn through its roughly \$9 billion Disaster Relief safety net very soon. The lack of additional funding could be detrimental as storms and natural disasters increase through what is supposed to be an above average hurricane season. Of the Senate bills that have passed, noteworthy mentions include the Commerce, Justice & Science

(CJS), Energy and Water (E&W), and Interior bills:

CJS – Provides roughly \$6.5 billion for National Oceanic and Atmospheric Administration (NOAA), which is 3.5% higher than enacted levels. Funding for NOAA includes \$34 million for the National Ocean and Coastal Security Fund, which improves the resilience of coastal communities around the country.

E&W – Stretches \$61.5 billion across various agencies including the United States Army Corps of Engineers (USACE). The bill continues investments in critical construction projects to protect communities from extreme weather events and more frequent flooding. USACE can expect roughly \$10.3 billion or nearly 18% more than FY24 levels. However, coastal projects received just \$5.8 million, and only \$500,000 of that was for putting sand on a shoreline. The rest went to studies.

Interior – This bill provides funding for the Environmental Protection Agency (EPA). EPA can expect to see roughly \$9.3 billion in FY25 or a 1.5% increase from enacted levels. EPA programs including the Clean Water and Drinking Water State Revolving Funds, which provide funding for water and wastewater projects, are funded at the fiscal year 2024 levels. In the lower chamber, the House version reduces funding for the EPA by 20%.

Both Chambers return on September 9th giving House and Senate leadership only 21 calendar days to address the supplemental request and get 12 regular appropriations bills passed. If the House can't pass its remaining 7 appropriations bills and the Senate doesn't resolve all its remaining issues with Homeland Security by September 30th, the federal government runs out of money. Add to that the question of whether some in the congressional leadership want to wait to pass these bills until sometime after Election Day and the likelihood of a Continuing Resolution (CR) becomes more probable than not.

NOAA INVESTS IN COASTAL COMMUNITIES

Through the Biden Administration's Investing in America agenda, NOAA will distribute \$575 million for 19 projects across 16 states in a move heralded by U.S. Secretary of Commerce Gina Raimondo as "a historic investment in our nation's climate resilience." In total, 16 states will benefit from this investment. Of those recipients, Alaska, California, Maine, Washington, and New Jersey were awarded the largest portions, respectively, for their projects. To keep up with increasing storms, rising seas and habitat loss, the nation needs far more than what has been provided here. In federal terms, this level of investment is still inadequate.

These projects include:

Alaska - \$78.9 million for three recommended projects aimed at addressing flooding and storm surge issues in underserved communities.

- \$74,950,045 for Stronger, Together: Expanding Climate Adaptation Technical Assistance for Frontline Alaska Native Communities. Alaska Native Tribal Health Consortium
- \$2,000,000 for the Bristol Bay Climate Adaptation Planning Program. Bristol Bay Native Association
- \$1,999,470 for the Bristol Bay Guardians. The Nature Conservancy – Igiugig Village

California - \$71.1 million for the Regional Adaptation for Climate Resilience of Monterey Bay Coastal Communities. This project will implement adaptation strategies that create a regional, collaborative approach for addressing flooding and wildfire risks while building capacity through workforce development.

Maine - \$69 million for the project, Resilient Maine: Local Adaptation and Resilience Actions at a Coastwide Scale. This project supports the goals outlined in the state's award-winning climate action plan and will help to make the state's coast more resilient to climate change and other coastal hazards.

New Jersey - \$72.5 million for the Building a Climate Ready New Jersey project, improving community resilience across 16 coastal New Jersey counties through resilience planning and project design pipeline to help advance resilience-focused projects from design to implementation.

Washington - \$75.6 million for two projects in Washington state to make the state's coast more resilient to climate change and other coastal hazards.

- \$73,587,134 the Washington State Coastal Climate Resilience Initiative: Accelerating Implementation of 20 Years of Partnership Efforts; Washington Coastal Zone Management Program
- \$1,999,963 the Regional Collaboration for Better Resilience Outcomes in the Puget Sound Basin

List of Coastal Bills in the 118th Congress

The latest status of every coastal bill introduced this year that directly affects coastal communities can be found [here](#).

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