

Testimony of April Snell, Executive Director, Oregon Water Resources Congress  
Submitted to the United States Senate Appropriations Committee,  
Subcommittee on Energy and Water Development

March 18, 2015

**RE: FY 2016 Budget for the U.S. Army Corps of Engineers, Civil Works**

The Oregon Water Resources Congress (OWRC) is concerned about continued reductions to the U.S. Army Corps of Engineers (USACE) Civil Works budget and is requesting that appropriations for this program be increased to at least **\$5.5 billion** in FY 2016. The USACE Civil Works program addresses vital water resource needs throughout the nation, and in Oregon, the USACE Northwestern Division operates on our two largest river systems, the Columbia River and the Willamette River, as well as maintaining Oregon's coastal rivers for navigation. OWRC is concerned that the proposed FY 2016 budget for the USACE Civil Works budget is woefully inadequate to meet the growing water infrastructure needs of Oregon and our nation as a whole. Increased funding would help support and leverage collaborative state level planning efforts that USACE is engaged in Oregon and nationwide. However, we are troubled by the efforts of USACE and the U.S Environmental Protection Agency (EPA) to increase regulatory authority under the Clean Water Act and the controversial "Waters of the US" draft rule. We urge the Subcommittee to direct funding towards addressing the critical infrastructure needs under the Civil Works program rather than provide funding to support counterproductive jurisdictional overreach.

OWRC was established in 1912 as a trade association to support the protection of water rights and promote the wise stewardship of water resources statewide. OWRC members are local governmental entities, which include irrigation districts, water control districts, drainage districts, water improvement districts, and other agricultural water suppliers that deliver water to roughly 1/3 of all irrigated land in Oregon. These water stewards operate complex water management systems, including water supply reservoirs, canals, pipelines, and hydropower production.

**FY 2016 Appropriations**

We recognize that our country is facing difficult economic times and that we must make strategic investments with scarce resources. The USACE Civil Works program is a perfect example of a budget that should have funding increased because the water infrastructure it encompasses directly contributes to the economy as well protecting public safety and the environment. The Civil Works program includes the development, management and restoration of water resources related to supply, navigability, flood control, hydropower, recreation, and fish and wildlife habitat across the nation. The Administration's proposed FY 2016 budget for the USACE Civil Works programs is only \$4.732 billion, which is a reduction from the FY 2015 enacted budget of \$5.455 billion. That amount is only a drop in the bucket compared to the numerous unmet water infrastructure needs nationally. OWRC feels strongly that USACE needs substantial increased funding to provide critical repairs on our nation's aging water infrastructure to prevent catastrophic failure, as well as address routine operations and maintenance on other infrastructure before it becomes unrepairable.

### **Willamette Basin Reservoir Study**

OWRC is currently collaborating with a broad water resources constituency in support an ongoing effort to explore options related to the reallocation of stored water in the Willamette Basin dams operated by the USACE. The USACE Northwestern Division operates 13 dams and reservoirs in the Willamette Basin, with a combined storage capacity of over 1.6 million acre feet. Currently, only a small portion of the stored water is under contract for irrigation. Since the construction of the dams in the 1930s, Oregon has seen an increase in population, which in turn has spurred increased development, agriculture and a whole host of new demands on the reservoirs. Additionally, there are Endangered Species Act concerns and related fish restoration needs that were not contemplated when the facilities were constructed. As a result, there is strong interest within Oregon to complete the Willamette Basin Reservoir Study, and determine how the reservoirs can help meet the myriad of current and future water demands in the Willamette Basin.

The Oregon Water Resources Department (OWRD) has secured a 50% funding match (up to \$1.5 million) to support the study and that match was included as part of the Oregon's 2013-2015 budget. In February, USACE received notification that a match of \$450,000 was approved as part of their FY 2015 work plan. OWRC would like to see an additional match included in the USACE civil works budget FY 2016, and the Willamette Basin Reservoir Study incorporated into the USACE FY 2016 work plan. Federal funding would not only leverage scarce state resources but also the in-kind and direct contributions of other stakeholders participating in the project.

### **Planning Assistance to States**

OWRC strongly supports providing funding for states to undertake planning activities to meet their water needs. Oregon is the model for watershed planning and does not need a new federal agency or Executive Branch office to oversee planning, however, federal funding and technical assistance is needed. Planning activities are conducted through local watershed councils, volunteer-driven organizations that work with local, state and federal agencies, economic and environmental interests, agricultural, industrial and municipal water users, local landowners, tribes, and other members of the community. There are over 60 individual watershed councils in Oregon that are already deeply engaged in watershed planning and restoration activities. Watershed planning in Oregon formally began in 1995 with the development of the Oregon Plan for Salmon Recovery and Watershed Enhancement, a statewide strategy developed in response to the federal listing of several fish species. This strategy led to the creation of the Oregon Watershed Enhancement Board (OWEB), a state agency and policy oversight board that funds and promotes voluntary and collaborative efforts that "help create and maintain healthy watersheds and natural habitats that support thriving communities and strong economies" in 1999.

Additionally, OWRC has been an active participant and supporter of the Integrated Water Resources Strategy (IWRS) adopted by the Oregon Water Resources Commission in August 2012. The IWRS is an important step forward in planning for the various water needs of Oregon but there is much more work to be done and little funding to implement. Providing funding for state-level planning activities will help support important efforts like the IWRS, and maximize the leveraging of state and federal resources, as well as providing viable models for other states

to replicate. This approach will help leverage scarce financial resources at both the state and federal level while promoting cooperation and collaborative solutions to complex water resources challenges.

### **Regulatory Guidance**

Addressing our nation's critical water infrastructure requires a collaborative and long-term approach that needs to encompass a workable regulatory structure as well as adequate funding. There needs to be greater clarity about when and how the various regulations covering water infrastructure are applied. As previously stated, OWRC has concerns about the proposed WOTUS rule and would like to the USACE to include language from their Regulatory Guidance Letter (RGL 07-02 from July 4<sup>th</sup>, 2007) in the final WOTUS rule. This language would provide greater clarity and alleviate much of the concern and confusion our members have with the proposed rule. Without further clarity, the proposed rule will undoubtedly be increased litigation that will detract from efforts to address critical water infrastructure.

### **Conclusion**

In conclusion, we respectfully request the appropriation of at least \$5.5 billion for the USACE Civil Works budget for FY 2016. The critical nature of the water infrastructure services the USACE provides requires a budget that matches the seriousness of the national need and the importance of the water supply, navigation, public safety, and other natural resources benefits it provides. Thank you for the opportunity to provide testimony regarding the FY 2016 budget for the U.S. Army Corps of Engineers.

Sincerely,

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