

U.S. Senate Republican Policy Committee
Larry E. Craig, Chairman Jade West, Staff Director

No. 74

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**S. 2796 — Water Resources
Development Act of 2000**

Calendar No. 729

Reported by the Committee on Environment and Public Works on July 27, 2000 by voice vote, with an amendment in the nature of a substitute. S. Rept. 106-362.

NOTEWORTHY

- The Senate is expected to begin consideration of S. 2796 today following disposition of S. 2045, the H-1B visa bill.
- S. 2796 authorizes 24 new construction projects within the civil works program of the Army Corps of Engineers for flood control, navigation, hurricane protection and beach erosion control, and environmental restoration.
- Also, the bill modifies 26 existing projects and authorizes 43 feasibility studies on new projects.
- The Senate passed a similar bill last year, S. 507, which was signed into law and became P.L. 106-53.
- The bill also contains the contents of S. 2797, the “Restoring the Everglades, An American Legacy Act,” an amendment agreed to by voice vote during the Committee’s deliberations.
- A managers’ amendment will be offered which may change the numbers of new construction projects, modifications of existing projects, and feasibility studies.

HIGHLIGHTS

S. 2796, the Water Resources Development Act (WRDA), contains new project authorizations and new programs, as requested by the Administration, as well as modifications to existing projects and programs also requested by the Administration. It includes authorization for 24 new construction projects and totals approximately \$4.5 billion in project and program authorizations, including nearly \$800 million for an Everglades restoration plan. Other major projects involve the Upper Mississippi River Basin, the Missouri River Basin, and the Great Lakes.

BACKGROUND

In 1986 Congress made major reforms to the process of developing and funding water resource projects (PL. 99-662). Cost-sharing formulas were established for deep draft harbor dredging, flood control, shoreline protection, streambanks erosion control, and other projects. Local Cooperation Agreements were required for all projects. Projects for enhancement of fish and wildlife resources were allowed to be carried out at up to 100 percent Federal expense and environmental restoration at 75 percent Federal expense.

The Harbor Maintenance Trust Fund, capitalized by a new Harbor Maintenance Fee, was established to pay 40 percent of the Federal cost of maintaining authorized deep draft navigation channels and was subsequently increased to 100 percent by the 1990 WRDA.

Since 1986 the Committee's policy has been to authorize only those construction projects that conform with cost-sharing and other policies established by the 1986 Water Resources Development Act. It is also the policy of the Committee to require projects to have undergone full and final engineering, economic, and environmental review by the Chief of Engineers prior to project approvals by the Committee. The projects included in this legislation comport with these policies.

BILL PROVISIONS

Title I — Water Resources Projects

Section 101 authorizes the Secretary of the Army to carry out 24 projects for water resources development, conservation, and other purposes in accordance with the plans recommended in the report and referenced in the bill language. The reports are those prepared by the Chief of the Civil

Works Division on individual projects. Descriptions of individual projects can be found on pages 4-14 of the Committee report, S. Rept. 106-362.

Section 102 authorizes the Secretary to modify previously authorized projects for water resources development, conservation, and other purposes. Project descriptions can be found in the report on pages 22-31.

Title II — General Provisions

This title consists of a number of changes in current Army Corps of Engineers authorities. Descriptions can be found on pages 14-20 of the Committee Report.

Title III. Project-Related Provisions

This title contains 31 sections dealing with modifications of existing construction projects. Descriptions can be found on pages 21-26 of the Committee Report.

Title IV. Studies

This title provides for studies on 36 specific proposed projects (see pages 26-33 of the Committee Report).

Title V. Miscellaneous Provisions

This section modifies visitor center language addressing two visitor centers and the CAL-FED Bay-Delta Program Assistance program for California (see page 33 of the Committee Report).

Title VI. Comprehensive Everglades Restoration Plan

This is a major provision of the bill. It addresses the restoration of the Everglades ecosystem. In 1948, in response to a series of devastating floods that occurred in the region, Congress authorized the Central and Southern Florida (C&SF) Project. The C&SF Project authorized the U.S. Army Corps of Engineers (Army Corps) to provide flood control, regional water supply for agricultural and urban areas, prevention of salt water intrusion, water supply to Everglades National Park, preservation of fish and wildlife, recreation, and navigation.

Unfortunately, the project has had unintended consequences on the unique natural environment which constitutes the Everglades and Florida Bay ecosystems. Water that flowed unimpeded through the southern half of the State, nearly 1.7 billion gallons of water a day, has been redirected to the Atlantic Ocean or the Gulf of Mexico, disrupting the natural sheet flow through the South Florida ecosystem. As a result of the high volume of water discharges, coastal estuaries are in peril, while water needed for the ecosystem and regional water supplies is wasted. In addition, runoff from cities and farms has resulted in high levels of phosphorus and other contaminants polluting the water. The C&SF Project also has resulted in a 90-95 percent drop in the wading bird population, and more than 1.5 million acres of land are infested with invasive exotic plants. The South Florida ecosystem also is home to 68 threatened or endangered plant and animal species. The size of the historic Everglades has been reduced by half.

To understand a comprehensive view of the intention of the Committee with regard to restoration of the Everglades, see the report language at pages 34-60.

Amendments To Existing Laws

The bill also proposes a number of amendments to existing law. Potential effects on specific projects are detailed on pages 62-81 of the Committee Report.

ADMINISTRATION POSITION

The Administration strongly supports the Everglades provision in S. 2796 as modified by the managers' amendment. However, the Administration objects to what it calls "premature" authorization of a number of other projects.

COST

The Congressional Budget Office projects that implementing S. 2796 would cost \$1.6 billion during the 2001-2005 period, and \$2.5 billion over the following 10 years. Because enactment of the bill would affect direct spending, pay-as-you-go procedures would apply.

OTHER VIEWS

No dissenting views were filed. In Committee action, there was one recorded vote on an amendment proposed by Senator Thomas regarding Corps performance of specialized or technical services, which was adopted by a vote of 9-8. A motion to include the text of S. 2797 in the Committee bill was agreed to by a roll call vote of 17-1, with Senator Inhofe voting in the negative. Other amendments were adopted in Committee by voice vote.

**POSSIBLE
AMENDMENTS**

Amendments are anticipated regarding the cost share provision with respect to the Everglades restoration effort.

Other amendments are expected as determined by a unanimous consent agreement which remains undetermined at press time.

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