

FLOOR STATEMENT
HONORABLE NICK J. RAHALL, II (D-WV)
IN SUPPORT OF H.R. 5314, THE WATER RESOURCES DEVELOPMENT ACT

Mr. Chairman, I rise in strong support of H.R. 5314, the Water Resources Development Act of 1990.

H.R. 5314 authorizes the construction of water resources development projects by the U.S. Army Corps of Engineers for flood control, navigation, port development, and related purposes. It also modifies and deauthorizes certain previously authorized projects, alters certain cost sharing requirements mandated by the 1986 and 1988 water resources development acts, and includes provisions to protect the environment in connection with Corps projects.

The bill authorizes the construction of 25 new water resources projects for which the Corps of Engineers has already completed favorable engineering reports. These include 14 projects for flood control, four for port development, four for storm damage reduction, two for inland navigation, and one miscellaneous project. The Corps estimates that the total cost of the 25 projects to be \$2.5 billion, with a total federal share of \$1.7 billion.

The measure includes several provisions that modify existing cost-

sharing requirements mandated and made permanent by the 1988 Act.

Under these requirements, non-federal beneficiaries such as state and local governments must pay for part of the costs of most water projects, with specific cost-sharing percentages dependent upon the particular type of project.

Under existing law, the local share of water resource projects is determined not only by the type of project, but by the ability of the local governments to pay their fair share. Currently the minimum local share is 25 percent, with the local government's ability to pay largely determined by economic conditions statewide. This bill provides that determinations of ability to pay take into account more specific considerations, such as the condition of the local economy, and that there be no minimum local share, which would permit projects in which the local government would not be required to make any cash contributions.

The measure also permits ability to pay procedures to be used for determining the local share of municipal and industrial water supply projects; currently, these procedures are used only for flood control

and agricultural water supply projects.

Mr. Chairman, the new flexibility provided under Ability to Pay is a welcome provision, in that my State's local economic conditions vary from city to town to hamlet, and often desperately needed projects go unfunded because of the inability of local governments to come up with their share when it is based, as it has been in the past, on statewide economic conditions rather than local economic conditions.

I am pleased to note that there are several projects of great benefit to my Congressional District included in H.R. 5314. These projects are of extreme importance to the area that I represent, and particularly the flood control project at Matewan, West Virginia.

In testimony early this year before the Public Works and Transportation Committee's Water Resources Subcommittee, I requested language in this bill to clarify that all of Matewan, WV be floodproofed as originally intended by Congress.

In the past, as the result of a technical distinction, the implementation of cost-sharing in accordance with the Water Resources Development Act of 1986, created significant problems for floodproofing

in the Town of Mantewan. In 1986, the Act directed the Army, acting through its Chief of Engineers, to design and construct at full federal expense, flood control measures in a number of cities affected by the 1977 flood. This specifically included the Town of Mantewan.

On October 28, 1985, the Mantewan project was defined, excluding a portion of the city called Hatfield Bottom. At that time, it was determined that Hatfield Bottom could be best flood proofed through a project called the Tug Fork Big Bend Cutoff. There was no objection to dividing the project at that time, because project funding was to remain at 100 percent federal cost and it was expected that both projects would be completed within the same time frame.

Unfortunately, the Big Bend cutoff was delayed, and then abandoned. Consequently, the floodproofing of Hatfield Bottom did not begin prior to the implementation of the cost-sharing under Water Resources Development legislation of 1986. Although the Mantewan project was grandfathered, the floodproofing of Hatfield Bottom was not, since it was no longer included within the Mantewan project definition.

Simply put, Mr. Chairman, this divided the town of Mantewan in

half, floodproofing one-half of it and leaving the other, most populated by both residencies and businesses, at risk, and town officials and residents bewildered to say the least.

For example, parents are bewildered because Hatfield Bottom is the location of the local high school, leaving them very concerned for the safety of their children. The majority of residents and business-owners are bewildered because that half of the town that would not be floodproofed, and should there be another disaster, would be wiped out, leaving the health and lives of those living and working there in shreds, not to mention the local economy which would be devastated.

The Hatfield Bottom floodproofing provision in H.R. 5314 is one of the most important projects in my District, and I am greatly indebted to the Chairman and other Members of the Committee for their understanding, and certainly their compassion, in realizing its importance and for including it in this year's reauthorization bill.

H.R. 5314 contains other WV water resources projects, including an authorization for flood control in Krouts Creek in the vicinity of Huntington, WV, which will include deepening and widening of the

channel and culvert replacement there. This is an urgently needed project in my District. Krouts Creek flows through a densely developed residential area of west Huntington, where approximately 200 families live in the 100-year floodplain, and where five businesses and three public buildings including churches and schools are located.



This year's (FY91) appropriations bill for Water Resources Development projects contains \$75,000 for use by the Corps of Engineers to negotiate a cost-share agreement with the City of Huntington, and to complete its report on this Krouts Creek project.

Another matter in the pending legislation of importance to southern West Virginia is a provision which would modify the authorized project purposes of the Bluestone Lake project.

One of the most pressing problems we face in southern West Virginia from the operation of an Army Corps of Engineers' project involves the massive amounts of debris that backs-up behind the Bluestone Dam. This concern is heightened because the New River Gorge National River, a unit of the National Park System, lies below the dam.

It is of the utmost importance that we protect the unique values and resources of the New River Gorge National River. Simply put, we did not go to the trouble and expense of establishing the New River Gorge National River only to have park visitors and river users assaulted by large amounts of trash floating down the river, accumulating on the river banks and hanging from tree limbs.

Under H.R. 5314, the Secretary of the Army would be required to take such measures as are technologically feasible to minimize the release of drift and debris into waters downstream from the Bluestone Lake project. Moreover, the minimization of drift and debris release would be included as an authorized project purpose of the Bluestone Lake project.

Among the types of activities that could be undertaken by the Corps are measures to prevent the accumulation of drift and debris

at the project, including through the collection and removal of drift and debris on the segment of the New River upstream from the project, as well as the removal and disposal of accumulated drift and debris at Bluestone Dam, including through the employment of temporary or permanent systems for such removal.

Finally, I would note that H.R. 5314 contains one additional provision relating to certain Corps projects in southern West Virginia.

In the last water resources bill, enacted in 1988, we provided a specific recreation authorization for 11 projects, seven of which are located in West Virginia. In other words, we required the Corps to manage the land and water resources at these projects in a manner as will improve opportunities for recreation so long as this is compatible with other authorized project purposes such as flood control and low flow augmentation.

As we all know, the environment and recreation is a hot item these days for federal surface managing agencies. The Bureau of Reclamation, for example, wants to be an environmental agency and atone for its past sins. Recreation is stamped all over the Bureau of Land Management's budget and the same goes for the Forest Service.

The Corps, however, stands alone among federal surface managing agencies and continues to resist emphasizing recreation

at its projects. I would submit it is time the Corps gets with the program, and that was one of the reasons for the 1988 legislation.

Nonetheless, incredible as it may seem, recently the Corps announced that it wanted to emphasize timber management at the seven West Virginia projects listed in the 1988 bill's provision on recreation. The project lands, however, are under lease to the State of West Virginia and are managed as public hunting and fishing areas.

I would submit that the sounds of timber cutting are not exactly conducive to hunting and fishing, nor to the wildlife habitat itself. I also believe that any attempt to deemphasize recreation at these seven Corps' projects would be inconsistent with section 6 of the Water Resources Development Act of 1988.

The effect of this amendment would be to maintain the status quo at the seven West Virginia projects by prohibiting the implementation of any plan that would emphasize timber management over recreation. These projects are Summersville, R.D. Bailey, Beech Fork, Bluestone, East Lynn, Sutton and Stonewall Jackson.

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I commend our able Public Works and Transportation Chairman Glenn Anderson, and the Committee's Ranking Republican, Mr. Hammerschmidt, for bringing this urgently needed reauthorization measure to the floor for passage today.

I strongly support the provisions in H.R 5314, which will go far in providing the upgrading of our nation's infrastructure needs.

I strongly commend the bill to my colleagues, and urge its immediate passage.