



U.S. Congressman
Nick Rahall
WORKING FOR WEST VIRGINIANS

FOR IMMEDIATE RELEASE

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RAHALL RECOMMENDS FEDERAL FUNDING FOR KROUTS CREEK

WASHINGTON, D.C. -- U.S. Rep. Nick Rahall (D-WV) today requested U.S. Rep. Tom Bevill (D-AL), the Chairman of the Energy and Water Development Subcommittee, to reexamine the case against Krouts Creek in Huntington and remove the Catch-22 situation that is preventing that area from receiving federal funds.

"It is a Catch-22 situation," said Rahall. "Over 30 homes and businesses are being threatened annually by Krouts Creek. Yet, the efforts made by the community to save the homes and property of that area are the very thing which keeps federal funds from being provided."

Rahall explained that the Army Corps of Engineers has contended, based on a formula method, that Krouts Creek does not reach a level warranting federal assistance. Rahall countered that the project is teetering on the edge of federal aid, but the efforts of the community to protect the area continually place the project out of arms reach for those federal funds.

Rahall further countered that the relatively modest sum of \$400,000 needed to protect those living near Krouts Creek makes the project even more attractive.

"The Krouts Creek project is small and the City of Huntington is willing and able to pick-up the balance of payment. In all sense of fairness, I urge you to write in the Krouts Creek Project in the Fiscal Year 1992 regular appropriations bill."

Rahall, a ranking Member of the Public Works and Transportation Committee, was able to obtain \$75,000 in funding from Chairman Bevill's subcommittee for Krouts Creek in last year's appropriation bill. The funds were used to conduct the most recent cost benefit ratio study which placed the creek at .95. 1.00 or higher would have qualified Krouts Creek for federal funds.

"The community is coming within a whisker of peace of mind," said Rahall. "I think we owe it to them not to quibble. Good government is knowing what is right and doing it, and not letting the formulas and the bureaucracy decide the welfare of the American people."

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Congress of the United States
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April 29, 1991

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The Honorable Tom Bevill
Chairman
Subcommittee on Energy and Water
Development
2362 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Bevill:

This letter is to request your urgent consideration of a project in my Congressional District which has been a pending Corps of Engineers project under Section 205 of the Flood Control Act as amended for over three years.

I am asking that you consider including in the regular, FY 1992 appropriations bill for water resources projects, a site-specific, "in the public's interest," authorized appropriation of \$400,000 (federal share of a \$750,000 project) for Krouts Creek, WV., waiving the benefit-to-cost ratio under Sec. 205 of the Flood Control Act as amended. Following is the background, and the reasons for this urgent request.

In 1988, as a Member of the Public Works and Transportation Committee, which has jurisdiction over Water Resources Development projects, including Corps of Engineers projects, I was able to authorize a small flood control project known as Krouts Creek (WV). My amendment authorized the Corps of Engineers to deepen and widen Krouts Creek and replace the culverts. As required by Sec. 205, the Krouts Creek project was required to meet certain benefit-to-cost ratios.

Under normal circumstances, the Krouts Creek project needed no authorization because of its size. Ordinarily, such projects could be completed under the Corps' continuing authority. Regrettably, the Corps conducted a reevaluation of the cost benefit ratio in June 1989 and found a BCR of only 0.78, and in November of the same year found a rating of only 0.95. Consequently, the Huntington District (WV) Corps has had to make a negative recommendation to the Ohio River Division.

Krouts Creek has endured damaging floods for the past 25 to 30 years. Floods of varying degrees of seriousness occur every year, to more than 30 homes and businesses, and it desperately needs a flood control plan.

One of the major reasons for the declining cost-benefit ratio ratings is that the City of Huntington, WV has continued to make minor repairs and adjustments in order to stave off the worst storms and high water events, and in so doing have created the subsequent poor cost benefit ratios found by the Corps over the past several years. In other words, the City is being penalized for trying to help itself, and to protect the people it is responsible for. It looks as though, Mr. Chairman, that the City of Huntington will simply have to turn its back and a deaf ear to the people who live and do business along Krouts Creek, and deliberately let Krouts Creek deteriorate to the point where a new evaluation by the Corps will reflect the appropriate cost benefit ratio, before we can hope to see Sec. 205 funding for it.

As you will recall, I testified on behalf of the Krouts Creek project in March of last year before your Subcommittee. Since that time, the Corps has conducted yet another evaluation of it to see if the BCR had improved so that it could be funded. This last study revealed a less than one benefit cost ratio, resulting in the Corps' decision to kill the project.

The Krouts Creek project is small, and the federal share would be only \$400,000, with the City of Huntington able and willing to pick up the balance of payment.

Mr. Chairman, in all sense of fairness I urge you to write in the Krouts Creek Project in the FY 1992 regular appropriation bill. For recent precedent, I refer you to other cases where this has been done: Hazard, KY, Killbuck, OH, and even Williamson, WV. These projects finally were able to be funded as projects that were deemed to be in the public's interest, notwithstanding any other provision in law.

I have tried to take the statutory route in getting some help for Krouts Creek residents and businesses, relying upon the authorization process under Sec. 205, and consequently the benefit-cost ratio standard or yardstick of eligibility. I cannot stress to you strongly enough that it is because of the City's humane self-help efforts to assist the people along Krouts Creek that continually creates the situation where the benefit-to-cost ratio does not rate high enough to qualify it for funding under the Corps' Sec. 205 continuing authority.

It is a Catch-22 situation, in which the Krouts Creek people have been told they must live and suffer annual flood losses to their homes, businesses, schools and churches, because they are unlucky enough to live in a floodplain and, in addition, that their own efforts to help alleviate their suffering keeps them from receiving federal assistance.

The Honorable Tom Bevill
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Again, Mr. Chairman, I ask that the \$400,000 Krouts Creek project be written into this year's appropriation bill being drafted by your Subcommittee, as a site-specific, "in the public's interest," project, thus waiving the benefit-to-cost ratio requirements under Sec. 205. I make this humble request because the project is not that costly, it is not that large, and there is ample precedent for doing so (see cites given above).

With warmest regard, I am

Sincerely,

NICK J. RAHALL, II
Member of Congress

NJR/bk