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13 Members of California Congressional Delegation Ask Corps of Engineers to Revise Flood Protection Policy

Bipartisan Letter Urges Revisions of Crediting Guidance That Discourages Local Investment

WASHINGTON, D.C. – Representatives Doris Matsui (CA-05) and Mike Thompson (CA-01), with eleven of their colleagues from across California, sent a letter Friday to the Army Corps of Engineers urging the agency to revise their proposed regulations regarding local funding for flood protection projects. The bipartisan group of Members argued that the Corps' recent decision to change the process by which local projects would be funded is "having a ripple effect across the country, making it more difficult for local stakeholders to invest in federal flood damage reduction projects."

Rep. Matsui said, "Public safety and a strong federal, state and local partnership should be at the heart of the Army Corps of Engineers' decision-making processes, and that means taking into account the needs of local communities that are investing in critical levee improvements. Local governments deserve certainty in the federal funding process, so that they can be confident that their investments will be matched by the federal government. I urge the Corps to review this issue and restore the Section 104 crediting process."

"Local communities, like West Sacramento, need to have flexibility when moving forward on important flood projects that will protect lives and properties in the region," said Rep. Thompson. "The Army Corps needs to work with local communities to put in place commonsense regulations that do not unnecessarily delay progress on these essential flood projects."

The letter was addressed to the Assistant Secretary of the Army for Civil Works Jo-Ellen Darcy,

who has jurisdiction over the Army Corps of Engineers. Earlier this year, the Army Corps issued a draft regulation that would restrict how a local community could initiate a flood protection project. The Army Corps is expected to finalize those regulations this October.

The letter was signed by 13 Members of the California delegation, including: Representatives Matsui and Thompson, Lois Capps (CA-23), Dennis Cardoza (CA-18), Jim Costa (CA-20), Anna Eshoo (CA-14), Bob Filner (CA-51), John Garamendi (CA-10), Wally Herger (CA-02), Zoe Lofgren (CA-16), Dan Lungren (CA-03), Jerry McNerney (CA-11), and Lucille Roybal-Allard (CA-34).

A signed copy of the letter is available [here](#). The text of the letter is as follows:

“Dear Secretary Darcy:

“As Members representing constituents living in floodplains, many of our offices were recently visited by local stakeholders from California, Louisiana, Texas, Illinois, Missouri, and Iowa regarding concerns over US Army Corps of Engineers (“Corps”) crediting policies. In particular, a recent decision to discontinue crediting under Section 104 of the 1986 WRDA Act is having a ripple effect across the country, making it more difficult for local stakeholders to invest in federal flood damage reduction projects. In some cases, the effect of this decision has already been to delay, and may eventually be to halt, local flood damage reduction project construction.

“We understand that you recently met with these stakeholders on this issue. Specifically, we appreciate your commitment to work with these communities regarding this decision before the updated guidance becomes effective this October. During this time of constrained federal funding, we believe it is imperative that local investment in flood damage reduction be encouraged rather than hindered. These local investments will enhance public safety, reduce federal recovery costs, and create jobs.

“During your continued dialogue with local stakeholders, we urge you to develop revised crediting guidance that takes into account potential unintended consequences such as jeopardizing local funding sources and delaying project development and construction schedules. While your office should exercise discretion when determining when and whether credit should be granted, a blanket prohibition against credit will exclude a number of projects

which are worthy of credit and which will result in many communities not constructing levee improvements.

“We respect your responsibility to protect the federal interest and appropriately manage limited federal resources. However, we believe it is essential to sustain the strong partnerships that have historically existed across the country between local communities and the Corps district offices. Public safety is a top priority and we ask that you keep us apprised of your efforts to revise crediting guidance. Should you or your staff have any questions or require additional information regarding this request, please do not hesitate to contact us. We thank you in advance for your time and consideration of this important matter.”

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