

S. HRG. 119-345

OVERSIGHT OF THE UNITED STATES ARMY CORPS OF ENGINEERS

HEARING

BEFORE THE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

UNITED STATES SENATE

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

SEPTEMBER 17, 2025

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COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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OVERSIGHT OF THE UNITED STATES ARMY CORPS OF ENGINEERS

WEDNESDAY, SEPTEMBER 17, 2025

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC.

The committee met, pursuant to notice, at 10:16 a.m. in room 562, Dirksen Senate Office Building, Hon. Shelley Moore Capito (chairman of the committee) presiding.

Present: Senators Capito, Whitehouse, Cramer, Sullivan, Ricketts, Boozman, Merkley, Padilla.

OPENING STATEMENT OF HON. SHELLEY MOORE CAPITO, U.S. SENATOR FROM THE STATE OF WEST VIRGINIA

Senator CAPITO. All right, here we go. I am calling this hearing to order, and welcome our witnesses. Thank you so much. I apologize for the delay.

I also want to congratulate Adam Telle on his recent confirmation. Hanging by a thread, there, Adam, until the very end, but you made it across the finish line in our final vote in August.

Today we will conduct oversight of the U.S. Army Corps of Engineers Civil Works program and examine the agency's implementation of prior Water Resources Development Acts. Since 2014, this committee has kept to a biannual schedule of passing this bipartisan legislation and we look forward to keeping on track with that record.

WRDA authorizes water resource studies and projects and sets national priorities for our civil works program. The Corps does critical work across the Nation through its navigation, flood risk management and ecosystem restoration missions. This work protects the lives and livelihoods of millions of Americans, facilitates commerce throughout our Country and internationally.

The timely implementation of these laws, consistent with congressional intent, is essential. The Corps is actively working on a number of studies and projects that I am going to mention, because they are critically important to my State of West Virginia.

The Lower Mud River Flood Risk Management project in Milton, West Virginia, has been a priority of mine. In WRDA 2022, I was able to increase the Federal share of that project from 65 percent to 90 percent. This change brought in the support we needed without creating financial strain on our State.

In 2023, I also secured an additional \$190 million for this project, bringing the total to \$287 million in Federal funding, delivering on the Federal side of the funding equation to make this project hap-

pen. Last month, West Virginia signed an amendment to the project partnership agreement to formalize the new cost sharing agreement which allows the project to resume.

Secretary Telle, thank you for being there, I know that was your first visit in your new official position, and I thank you for joining us in Milton for that ceremony.

The State of West Virginia recently committed to matching the Federal funds that I have secured for the Upper Guyandotte and Kanawha River Basin Flood Risk Management studies. Just over 9 years ago, in June 2016, West Virginia experienced flooding at historic rates, leading to tragic deaths and devastation.

The Kanawha River Basin study is a direct response to this flooding. I championed a provision in WRDA 2024 that increases the Federal cost share for future projects identified by this study.

WRDA 2024 also increased the ability of the Corps to carry out smaller projects for debris and obstruction removal, which is critical to reducing the severity of flooding in many areas of I am sure everybody's State, but particularly ours.

The fifth and final phase of the Bluestone Dam Safety Assurance Mega-Project, in the city of Hinton, continues to make significant progress. In September 2024, Hurricane Helene led to high water levels in rivers and streams across the east coast, well beyond the areas hit directly by the storm. The New River was among those affected and resulted in historic water levels against the Bluestone Dam.

The dam was able to withstand the rising waters and prevented an estimated \$577 million in damages. Once completed, the project will protect more than 150,000 people and \$20 billion worth of infrastructure.

Unfortunately, there is more to be done. This year alone, several parts of West Virginia experienced devastating flooding. In February, flooding in McDowell County resulted in the loss of lives and necessitated major rescue and recovery efforts. The damage wiped out the only route to the Welch Community Hospital, and caused major infrastructure issues in Wyoming and Mingo counties.

Ohio and Marion counties also experienced significant damage and loss of lives following flash flooding on the Father's Day weekend. My congressional colleagues and I supported Governor Morrissey's requests for Presidential disaster declarations, and I am grateful to President Trump for his approval of these requests.

I will continue to work with the Corps and local government officials to determine if additional authorities are needed to help mitigate the impacts from future flood events.

Thank you again to the witnesses for being here. I now turn to my Ranking Member, Ranking Member Whitehouse, for his opening statement.

**OPENING STATEMENT OF HON. SHELDON WHITEHOUSE,
U.S. SENATOR FROM THE STATE OF RHODE ISLAND**

Senator WHITEHOUSE. Thank you, Chairman, for this hearing today. Thank you, Secretary Telle and Lieutenant General Graham, for appearing.

As you know, one of my most vexing problems, one the Corps has refused to remedy, is chronic underfunding of coastal storm risk management projects. For my Ocean State, that is a bad situation.

While flood risk is on the rise nationwide, coastal areas face the most severe increases due to rising sea levels and more frequent extreme rainfall events. In First Street's National Flood Risk Assessment, coastal cities outrank inland cities by all measures of substantial flood risk.

The nonpartisan Congressional Budget Office has determined that the share of properties exposed to flood risk in coastal communities is more than twice that of inland communities, and coastal communities are projected to see even sharper increases in flood risk over the next two decades.

Greater flood and storm risks are, in turn, contributing to a property insurance crisis that threatens to trash our entire economy. When risk makes property uninsurable, the property also becomes unmortgageable. Without mortgages, property markets crash. As we all saw in 2008, when property markets crash, so does the economy.

Despite this dire situation, coastal storm risk management projects year after year receive between 20 and 100 times less funding than inland flood risk management projects. That simply is not good enough. The Corps needs to tackle problems like this one head-on and embrace reform.

Assistant Secretary Telle, I supported your nomination and confirmation because I know you understand and appreciate the critical role that congressional oversight plays in ensuring that Federal agencies deliver for people. I value your commitment to maintaining an open line of communication with Senator Capito and me, and particularly appreciate your willingness to engage with committee staff on a regular basis to keep the Corps accountable.

In prior testimony before this Committee, you spoke of your formative experience helping to secure funding and resources for the State of Mississippi's recovery from the devastating effects of Hurricane Katrina. You know from experience managing the FEMA portfolio for the Senate Homeland Security and Governmental Affairs Committee that disasters do not differentiate between red and blue States.

Under your leadership, I expect to remove the political bias so blatant in the Corps' Fiscal Year 2025 Construction Work Plan, which shifted over \$250 million in construction funding from blue states to red States, completely eliminating funding for four critical California flood risk management projects to fund navigation projects in Texas that did not even make the cut in the Corps' Fiscal Year 2025 budget.

Assistant Secretary Telle, I expect you to put an end to it. Egregious partisanship does not serve the Army Corps, and it does not serve the American people.

I also expect to see progress on project delivery. Cost escalations and delays are pervasive, recurring issues in the Corps' civil works construction program. The Trump administration's attacks on the Federal work force have only made addressing these problems worse.

In just a few months, DOGE's deferred resignation program and voluntary early retirement have hollowed out Corps offices, so that across the agency, work force reductions undermine mission execution. Some Corps district offices have lost as much as 20 percent of their staff, and all have likely lost expert personnel. The prolonged Trump hiring freeze is exacerbating the staffing shortage.

As a result of this DOGE-driven chaos, Corps offices are either deferring work, contracting it out at a higher cost, or paying employees overtime to complete it, all while continuing to pay salaries to employees who, under the DRP, no longer report for duty.

This is not just a matter of work force morale; the DRP has actually jeopardized mission-critical operations and increased project costs.

Assistant Secretary Telle, General Graham, you have your work cut out for you. I look forward to working with you and hope that you will acknowledge the challenges, roll up your sleeves, and work cooperatively with this Committee to address them.

Thank you very much, Madam Chair.

Senator CAPITO. Thank you.

Our first witness is the 14th Assistant Secretary of the Army for Civil Works, Adam Telle. Secretary Telle, as I mentioned in my opening statement, was recently confirmed to serve in this role by the Senate in a bipartisan vote.

Prior to his confirmation, Mr. Telle spent two decades in public service, with roles in the U.S. Senate, notably as my clerk for the Homeland Security Subcommittee, and as a special assistant to the President in the first Trump administration.

Welcome, Secretary Telle. Again, thank you for visiting West Virginia. You are recognized for 5 minutes.

STATEMENT OF HON. ADAM TELLE, ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS, DEPARTMENT OF THE ARMY, OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL WORKS

Mr. TELLE. Thank you, Chairman Capito.

Chairman Capito, Ranking Member Whitehouse, and distinguished members of the committee, thank you for the opportunity to be here today to discuss the Army Civil Works program. I am honored to serve as the 14th Assistant Secretary of the Army for Civil Works and as President Trump's, Secretary Hegseth's, and Secretary Driscoll's top official responsible for overseeing the U.S. Army Corps of Engineers' civil works mission.

I was nominated by President Trump on March 24th of this year, appeared at a hearing in May, and I was confirmed by the Senate, as Chairman Capito pointed out, on August 2d. I began work in this role immediately thereafter and have been on the job for six and a half weeks. During this time, I have been working alongside General Graham and his team to ensure that the Army Civil Works program is positioned to deliver on President Trump's vision for our Country and on its critical mission, which this committee has had an important role in defining.

As I said during the consideration of my nomination before this committee, I am honored to help lead the Army Civil Works mission. It touches small and large communities throughout the Coun-

try, and very few government agencies' missions capture the interests of American citizens, landowners, communities, States, job creators, and the representatives here in Washington quite like this one.

The U.S. Army Corps of Engineers originated in 1775, before the Declaration of Independence was even signed. The America we know today developed, in large part, as a result of the work of the Corps.

Congress has given the Corps two main missions in addition to its original navigation mission: flood damage reduction and ensuring the future availability of our aquatic resources. Because the Civil Works program is important to the American public and their elected representatives here in Washington, during my first weeks, I have been working to establish greater consistency and accountability across the four layers of this enterprise, which consist of my office and the Corps headquarters, divisions and districts.

I intend to spend my time in this job ensuring that the Corps carries out its missions to benefit the American public as effectively, as quickly, and as efficiently as possible. We must optimize our program for quality, speed, and cost if we want to do our part to protect lives and commerce as President Trump is delivering on his vision to ensure that the United States remains the greatest nation in the history of the world during the 21st Century.

Our partners here on Capitol Hill, and particularly on this Committee, have been pivotal in supporting this enterprise, and I request your partnership as I work with General Graham to ensure the Civil Works program evolves to become more efficient and consistent to meet our modern demands. To deliver against that workload, we must work in partnership with the Congress, throughout the executive branch, and with our stakeholders to drive efficiency, collaboration, and results in an environment that is necessarily resource-constrained.

In addition to driving more efficiency into the Civil Works program, we must continue to lift the Federal regulatory burden on the public. This Administration is committed to ending the last five decades of confusing and ever-changing definitions of the term "Waters of the United States" under the Clean Water Act of 1972.

Together with Administrator Zeldin and President Trump's Environmental Protection Agency, the Army has already issued guidance that follows the Supreme Court's Sackett decision, and we will move quickly to issue a permanent definition that follows the post-Sackett law of the land, reduces red tape, cuts overall permitting costs, lowers the cost of doing business in communities across the Country and continues to protect America's waters.

In July, my office made much-needed changes to our National Environmental Policy Act implementing procedures that will reform, modernize, and expedite the Corps' environmental reviews, eliminate unnecessary delays, and help ensure the growth of highly cost effective, reliable infrastructure projects across the Nation.

We also recognize the opportunities provided through WRDA 2024 and previous WRDAs, which this committee has had such an important role in shaping. These efforts were intended to address navigation, reservoir management, the beneficial use of dredged material and many other issues.

I look forward to gaining insight today about your views and interests, so that together, we can serve America's vital infrastructure needs.

Thank you, Chairman Capito, Ranking Member Whitehouse and the members of this Committee. I look forward to answering any questions you may have.

[The prepared statement of Mr. Telle follows:]

DEPARTMENT OF THE ARMY

**WRITTEN STATEMENT
OF**

**MR. ADAM TELLE
ASSISTANT SECRETARY OF THE ARMY
FOR CIVIL WORKS**

**BEFORE
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE
ON**

**OVERSIGHT OF THE ARMY CIVIL WORKS PROGRAM AND
ONGOING EFFORTS TO IMPLEMENT PREVIOUS WATER
RESOURCES DEVELOPMENT ACTS**

SEPTEMBER 17, 2025

Chairman Capito, Ranking Member Whitehouse, and distinguished members of the committee, thank you for the opportunity to be here today to discuss the implementation of the Water Resources Development Acts.

My name is Adam Telle, and I am honored to serve as the fourteenth Assistant Secretary of the Army for Civil Works and as President Trump's, Secretary Hegseth's, and Secretary Driscoll's top official responsible for overseeing the U.S. Army Corps of Engineers' civil works mission. I was nominated by President Trump on March 24 of this year, and confirmed by the Senate on August 2. I began work in this role immediately and have been on the job for five-and-a-half weeks. During this time, I have been working alongside General Graham and his team to ensure that the Army Civil Works program is positioned to deliver on President Trump's vision for our country and on its critical mission, which this Committee has had an important role in defining. I will say that I am pleased that I was able to spend a significant amount of time with the Senate throughout my career and during the confirmation process.

When I moved to Washington in 2005, I worked as a staff member in the United States Senate. I believed that I could make a difference helping to represent the views and interests of the Americans I grew up with who often felt ignored or forgotten by important people in Washington. This is

the reason I am honored to be a part of the Army Civil Works mission. It touches small and large communities and everyday Americans across the country. Few government agencies' missions capture the interests of American citizens, landowners, communities, states, job creators and their representatives here in Washington quite like this one.

The U.S. Army Corps of Engineers originated in 1775. The America we know today developed, in part, as a result of the work of the Corps. Congress has given the Corps two main missions in addition to its original navigation mission: flood damage reduction and ensuring the future availability of our aquatic ecosystem resources.

Because the Civil Works program is important to the American public and their elected representatives here in Washington, during my first weeks, I have been working to establish greater consistency and accountability across the four layers of this enterprise, which consist of: My office, and the Corps headquarters, divisions and districts. The Corps supports commercial navigation, helps reduce flood risks, restores aquatic ecosystems, and provides stewardship of the natural resources on Corps lands to benefit the American public as effectively as possible, as quickly as possible, and as efficiently as possible. We must optimize our program for quality, speed, and cost if we want to do our part to protect lives and

commerce as President Trump is delivering on his vision to ensure that the United States remains the greatest Nation in the history of the world during the 21st Century.

Our partners here on Capitol Hill, and particularly on this Committee have been pivotal in supporting this enterprise, and I request your partnership as I work with General Graham to ensure the Civil Works enterprise evolves to become more efficient and consistent to meet our modern demands. To deliver against that workload, we must work in partnership with the Congress, throughout the Executive Branch, and with our stakeholders to drive efficiency, collaboration, and results in an environment that is necessarily resource constrained.

In addition to driving more efficiency into the Civil Works program, we must continue to lift the federal regulatory burden on the public. This Administration is committed to ending the last five decades of confusing and ever-changing definitions of the term “waters of the United States” under the Clean Water Act of 1972. Together with Administrator Zeldin and President Trump’s Environmental Protection Agency, the Army has already issued interim guidance that follows the Supreme Court’s *Sackett* decision, and we will move quickly to issue a permanent definition that follows the post-*Sackett* law of the land, reduces red-tape, cuts overall permitting

costs, lowers the cost of doing business in communities across the country. And, continues to protect America's waters.

In July, my office made much-needed changes to our National Environmental Policy Act implementing procedures that will reform, modernize, and expedite the Corps' environmental reviews, eliminate unnecessary delays, and help ensure the growth of highly cost effective, reliable infrastructure projects across the Nation.

We also recognize the opportunities, provided through WRDA 2024, to address navigation, reservoir management, and beneficial use of dredged material.

As we spend time today reviewing WRDA 2024, I look forward to gaining insight about your views and interests so that, together, we can serve America's vital infrastructure interests.

Thank you, Chairman Capito, Ranking Member Whitehouse and the Members of this Committee. I look forward to answering any questions you may have.

Senate Committee on Environment and Public Works
Hearing Entitled, “Oversight of the US Army Corps of Engineers”
September 17, 2025
Questions for the Record for The Honorable Adam Telle

Senator Cramer:

1. Hydropower can help deliver affordable electricity to Americans while also providing non-power benefits like flood control, water supply, and recreation.
 - a. Can you speak to the overall importance of federal hydropower projects operated in partnership with the U.S. Army Corps of Engineers and the Power Marketing Administrations?

Response: Federal hydropower projects provide reliable, low cost, dispatchable energy that can support grid stability. The Corps owns and operates facilities that generate approximately 25 percent of the hydropower generated in the nation.

2. The Red Rock Hydropower Project in Iowa represents one of the largest non-federal hydropower additions in the country in recent decades and helps to power several municipalities in North Dakota.
 - a. Could you speak about the importance of projects like this in terms of supporting grid reliability and demonstrating how federal and non-federal partnerships can successfully expand hydropower capacity?

Response: The Red Rock hydropower project and similar projects exemplify how non-federal initiatives can enhance grid reliability by providing energy resources that help balance supply and demand.

3. At multipurpose projects like Garrison Dam, hydropower customers can be assigned costs that no longer reflect the actual share of benefits they receive compared to other project purposes. As costs for non-power objectives rise, ratepayers can end up covering more than the value of the hydropower itself.
 - a. Without a clear administrative remedy, how can the Corps work with the Power Marketing Administrations and other agencies to ensure that hydropower customers are not paying costs that exceed the benefits they actually receive from these projects?

Response: The Corps, in conjunction with power marketing administrators, calculates costs using formulas that distribute project costs based on the proportionate share of benefits derived from multiple purposes such as flood control, irrigation, and recreation, in addition to power generation. This approach helps to ensure that customers only pay for the costs that align with the benefits they receive, preventing excessive charges for services they do not utilize.

Senator Graham:

1. Assistant Secretary Telle, the Corps does not appear to be following through on commitments to the Town of Edisto Beach, South Carolina. The town was notified on April 11, 2025, that their September 30, 2024, appraisal report was not accepted despite having followed the appraisal methodology relied on in the project's Final Integrated Feasibility Report / Chief's Report, which projected a \$0 value for acquiring real property interests, and the Non-Federal Sponsor Guide to Land Acquisition. My office enabled the town to sign the Project Partnership Agreement in early 2023, through crediting language in Section 8363 in WRDA 2022, but now this change has delayed the project and could result in millions of dollars in extra costs. Can you provide detailed justification for this change, which seems to be contrary to project reports authorized by Congress and past agreements between both parties?

Response: The valuation methodology in the Final Feasibility Report Real Estate Appendix, dated June 27, 2013, utilizes a cost estimate that was based on a gross appraisal. The 2013 gross appraisal assumed the project would result in "offsetting benefits" and zero-dollar valuation. However, this assumption needed to be validated on a parcel-by-parcel basis in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA). Communication over the past several years may have caused confusion regarding this fact.

- a. How will the Corps work to address the concerns of the town and ensure that the project will advance in accordance with the methodology previously agreed upon by both parties?

Response: The required valuation methodology to determine whether a parcel receives special or offsetting benefits is a parcel-by-parcel appraisal prepared in compliance with the UASFLA (Yellow Book). This requires a "before" project appraisal of the entire parcel and an "after" project appraisal of each tract considering how the specific estate being acquired may change the property's value. The Town of Edisto's appraisal did not contain this required analysis but rather estimated the before condition of the properties and assumed a standard increase in future property values applied across the entire project. The Corps is preparing a detailed scope of work to describe the steps necessary to properly demonstrate "before" and "after" values consistent with policy and law.

We value the partnership with the Town of Edisto Beach and remain dedicated to working together to ensure the successful progression of this project.

Senator Sullivan:

1. There is an important Army Corps flood control project in my home state in the community of Seward called the Lowell Creek Tunnel replacement project. As the name would suggest, it replaces the existing Corps-built Lowell Creek Tunnel project, which is aged and in danger of failing, putting the Seward downtown area, including the

community hospital, at risk if there is a major flood event. I was glad to work with the Corps and the Committee to secure a WRDA authorization for the replacement project, and Congress provided \$185 million in the Bipartisan Infrastructure Law to fund it, or at least mostly fund it. There are three entities adjacent to the project – the Alaska Sealife Center, the University of Alaska-Fairbanks, and the Alutiiq Pride Shellfish Hatchery, who draw seawater for their research and aquatic sealife tanks. These entities are concerned that the new project will increase the turbidity and impact the water quality of the seawater drawn from their current intake pipe, given its location relative to the projected water outflow of the new project. Does the Corps have statutory authorization as part of its mitigation responsibilities to either construct or provide funding to the entities for a new seawater intake pipe that would be located further away from the new project site?

Response: The Corps is working on the final design of the project, and while a Project Partnership Agreement has not been signed for construction, the non-Federal sponsor has sole responsibility for providing all real estate actions including lands, easements, relocations, rights-of-way, and disposals unless otherwise directed by Congress. The movement of the intake pipe is considered a relocation and will be the responsibility of the non-Federal sponsor.

2. The City of Homer, Alaska, located on the Kenai Peninsula, is home to a harbor that serves a wide variety of commercial, recreational, research, and government vessels. The City is amid efforts, in conjunction with the Corps, to expand its harbor to meet current demand and accommodate future growth. I appreciate the Corps' engagement on this project so far, but we are currently awaiting a timeline for completing additional work. Will you commit to ensuring that this project is completed in a timely manner?

Response: I commit to ensuring the study is completed in a timely manner. The Corps will continue to work closely with the City of Homer to meet their navigation needs. They are assessing the best path forward given the statutory and policy requirements.

3. In Alaska, the Corps has begun requiring more work to be completed in the feasibility phase as opposed to the pre-construction engineering and design phase, which increases the cost share paid by small communities sponsoring the project. How is the Corps working to ensure that the finances of small communities, like Homer, are not adversely impacted by changes to policy during the development of critical infrastructure projects?

Response: The feasibility phase includes activities intended to provide an accurate cost for the project being proposed for authorization. This gives Congress, the federal government, and the project sponsor a clearer understanding of the costs involved to plan and budget accordingly.

4. How is the Corps working to align its project merit criteria and timeliness of implementation with the aims of the President as outlined in executive orders such as EO 14276 ("Restoring American Seafood Competitiveness") and EO 14153 ("Unleashing Alaska's Extraordinary Resource Potential")?

Response: In alignment with the EO 14276, Alaska District is working with the National Marine Fisheries Service (NMFS) on an Endangered Species Act (ESA) Programmatic Agreement for aquaculture. Additionally, Alaska District and NMFS have drafted an Aquaculture Opportunities Area Atlas which will help farmers site their farms and support effective permitting processes and avoid space use conflicts. This process includes collaborative efforts with state and federal agencies. This has started conversations focused on reducing redundancy and improving review processes between both state and federal permitting agencies.

Specific to the Ambler Road project, EO 14153 puts a temporary stop to the 2024 supplemental environmental impact statement decision and simultaneously reinstates the 2020 joint record of decision on the original environmental impact statement. Alaska District is working to unsuspend the Ambler Road permit in accordance with this EO.

5. There is significant erosion because of regular flooding along the Upper Susitna River near the city of Talkeetna, Alaska, placing serious stress on public infrastructure – including the Talkeetna airstrip – and homes. On June 19, 2025, the Matanuska-Susitna Borough requested assistance from the Alaska District under Section 8315 of WRDA 2022, a provision I authored that allows the Corps to study and construct projects addressing storm damage prevention, flood reduction, and erosion in Alaska for this exact problem. Will you direct the Alaska District to engage with the Borough and begin this work to address this ongoing erosion in the Mat-Su Borough in an expedited manner?

Response: Yes, the Alaska District has been engaged with the Borough and is working on a plan to address the erosion.

Senator Wicker:

1. Assistant Secretary Telle, how do repeated continuing resolutions affect the Corps' ability to deliver projects on time and on budget?

Response: It is project dependent, and the impacts will vary based on the project phase. The Corps may only be able to make progress on a small increment of work; the project may be delayed; or the project may be able to continue as planned.

- a. What tools or flexibility would be most helpful for the Corps to maintain funding stability and ensure that critical projects, including those in Mississippi, are not delayed further?

Response: Funding uncertainty constrains the Corps' ability to execute projects efficiently and cost-effectively. Full-year appropriations enacted at the beginning of the fiscal year will improve schedule certainty, reduce inefficiencies, and help ensure continued progress on critical projects across the Nation.

2. Assistant Secretary Telle, what specific steps is the Corps taking to control costs and keep the Arkabutla Dam repair on schedule?
 - a. Will you commit within 30 days to providing my office with a detailed timeline

for the project's completion?

Response: Yes, we commit to providing your office a detailed timeline within 30 days of the transmittal of these QFRs to the Committee.

- b. What steps could be taken to ensure that we are moving dirt before 2028?

Response: During summer 2025, the delivery team accelerated the project design and construction by one and a half years and are continuing to pursue other cost and schedule streamlining actions. The project timeline will be revisited for optimization during preconstruction engineering and design (PED) as the team strives to efficiently deliver a quality project to reduce risk. Interim Risk Reduction Measures continue to be implemented to mitigate risk until construction of the permanent modification begins.

3. Assistant Secretary, how is the Corps working to ensure that the full benefits of beneficial use of dredged material are properly valued and incorporated into decision-making and project costs?

Response: In 2023, Corps leadership set a goal of expanding beneficial use of dredged material. Section 125 of WRDA 2020 also allows the Corps to incorporate economic and environmental efficiencies when considering the federal standard. Implementation guidance for parts of this section have been issued and additional guidance is forthcoming that will provide a process by which districts can evaluate environmental benefits.

- a. Assistant Secretary Telle, as you know, Congress has directed the Army Corps to take into account the beneficial use of dredge material in previous WRDA bills, including for deepening Gulfport, along with other deepening projects in the Gulf.

Response: Yes, I am aware.

4. Major projects in Mississippi, such as the Yazoo Backwater effort and the long-term repair of Arkabutla Dam, have advanced because local sponsors have been actively engaged at every stage. Their leadership provides critical insight into community needs and project impacts, strengthens public trust, and has been essential to keeping projects on track and moving toward timely completion.

- a. Assistant Secretary Telle, you have seen the positive impact local partnerships have on projects. I know you will be the champion of empowering local voices. Please let me know if there is anything I can do to help further that goal.

Response: I will champion empowering local voices and will let you know if I need your assistance to further this goal.

Ranking Member Whitehouse:

1. In terms of both the number of projects and the total amount of funding, what is the

Corps' construction capability for coastal storm risk management in fiscal year 2026?

Response: The Corps is still assessing this information.

- a. What is the Corps' construction capability for inland flood risk management in fiscal year 2026?

Response: The Corps is still assessing this information.

2. Has your office instituted any specific upward reporting requirements to monitor the effects of workforce reductions on project costs and mission execution at the Corps?

Response: My office is providing continuous oversight of the Civil Works program to accelerate project delivery including all matters that implicate project costs and mission execution. I am imposing strategic discipline on the Army Civil Works program by focusing resources on core missions that serve the national interest and concurrently leveraging non-federal and contractor capabilities to deliver vital infrastructure projects. Constant engagement with Corps staff has negated any need for upward reporting requirements.

3. In your hearing testimony, you advised the Committee that the Corps' role in building nonstructural projects should be reevaluated based on the agency's experience implementing the Southwest Coastal, Louisiana, and Fire Island to Montauk Point, New York, coastal storm risk management projects. You indicated that project costs are escalating based on early results. What categories of project costs are escalating; what is the currently projected cost overrun for each affected category; and what factors, either within the agency's control or outside the agency's control, are causing the escalations?

Response: Almost all categories of project costs are escalating. Some are escalating faster than the others.

- Material Costs have the highest escalating costs.
- Based on information from the Bureau of Labor Statistics and Associated General Contractors (AGC) of America, metals such as steel, aluminum, and copper have seen cost increases of up to 70% within past five years.
- Mechanical, electrical, and sub-components like switchgears, transformers and cables have had double digit cost increases within the past 24 months.
- These cost escalations are forecasted to continue due to high demand in the private sector.
- AGC also projects 4-5 percent cost growth on labor costs each year based on historical trends since the pandemic.
- Escalation rates and factors reflect the economy as a whole.

- a. What legislative reforms would empower the agency to deliver nonstructural projects more efficiently and economically?

Response: Nonstructural projects are subject to local market conditions and the willingness of owners to participate in these projects. The agency continues to work within the current legal framework to deliver on these project solution alternatives.

4. On September 18, you issued a memorandum “directing that the Corps’ public interest analysis on ‘energy needs’ for individual permit applications . . . related to energy generation projects consider the project’s annual energy generation per acre, whether they displace other more reliable energy sources, and whether the activities related to the projects denigrate the beauty of the Nation’s natural landscape under the public interest review’s ‘aesthetics’ factor.” What data and analysis will a District Engineer rely upon to determine whether an energy generation project displaces other more reliable energy sources?

Response: The Corps’ regulations acknowledge the importance of energy development as a national objective and current policy gives a high priority to processing permit actions involving energy projects. The benefits expected to accrue from an energy generation project must be balanced against reasonably foreseeable detriments, to include displacing more reliable energy sources. Energy infrastructure that is reliable and efficient will weigh heavy in the general balancing process. The evaluation of any specific activity will depend on project specific facts but may include reasonable and feasible alternative energy production technologies which meet the project purpose and need.

- a. What framework will a District Engineer use to analyze an energy generation project’s effects under the public interest review’s aesthetics factor?

Response: The Corps’ public interest review is applicable to the review of all applications for Department of the Army permits. The decision whether to issue a permit is based, in part, on the outcome of a general balancing process of 21 public interest factors, which include land use, aesthetics, and energy needs. The evaluation of any specific activity will depend on project specific fact sets but may include viewshed simulations, topographical evaluation, and consideration of mitigating factors.

- b. Please provide examples of individual permit applications that the Corps has denied in the past based primarily on a determination that the permitted activities will denigrate the beauty of the Nation’s natural landscape.

Response: Individual projects are evaluated on their own merit. The Corps does not centrally track the rationale for past permit denials. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are based on criteria that include the extent and permanence of the beneficial and/or detrimental effects on the public and private uses for which the areas are suited. Mitigation may be an important aspect of the review and

balancing process.

- c. By separate memorandum, you further directed the Corps “to consider a proposed energy generation project’s energy density in its decision-making process for requests . . . to locate these projects on Corps water resource development projects” and “to prioritize requests for permission for energy generation projects that have the most annual potential energy generation per acre and require alternatives with higher densities because they will likely have lower impacts on the environment and therefore be less injurious to the public interest.” What data and analysis did you rely upon to determine that higher density energy generation projects will likely have fewer adverse effects on the environment than lower density alternatives?

Response: This memorandum has not been issued.

- d. In assessing the environmental effects of an energy generation project, how does the Corps account for the infrastructure needed to extract and transport energy resources to the generation facilities?

Response: The District Engineer determines the appropriate scope of analysis for the proposed activity where the Corps has sufficient control, responsibility, and legal authority to warrant federal review. This determination is made for each permit application, and where there is sufficient control, responsibility, and legal authority, the District Engineer will consider the environmental effects over any aspect of the applicant’s proposed activity beyond the Corps limited statutory authorities.

- e. How will the Corps document, track, and inform the public about the application of the two guidance memoranda to individual permit evaluations and decisions?

Response: All standard permit decisions are documented through an Environmental Assessment and/or an Environmental Impact Statement and Finding of No Significant Impact or Record of Decision respectively pursuant to the National Environmental Policy Act. Additionally, the Corps completes a Memorandum for the Record on all Nationwide Permit authorization decisions where a Preconstruction Notification is required. Any such analysis would be included in that documentation.

- f. In June, the Corps issued a notice of proposed rulemaking for the reissuance and modification of nationwide permits. The Corps’ proposed rule includes the reissuance of nationwide permits for land-based renewable energy generation facilities and water-based renewable energy generation pilot projects. Do you intend to incorporate the policies reflected in the September 18 guidance memoranda, or otherwise restrict the availability of nationwide permits for solar and wind energy generation projects, in the final rule?

Response: Administration policies and priorities will guide the effort to finalize and reissue the Nationwide Permits in 2026. At this time, no decisions have been

made about the final language for the Nationwide Permits.

5. It is my understanding that the Corps substantially completed the final report for the National Assessment of the National Shoreline Management Study in early 2023. What is the status of the final report and when do you expect to release it to the public?

Response: The final report will be published by the end of 2025.

Senator Merkley:

1. The Water Resources Development Act (WRDA) 2022 Section 8220 required that the U.S. Army Corps of Engineers (USACE) complete a report to Congress that would share information regarding the potential effects of hydropower deauthorization in the Willamette Valley, Oregon. This report was required to be transmitted to Congress no later than 18 months after the date of WRDA 2022's enactment – a deadline that has lapsed. The Portland District and the Northwest Division of USACE completed this report within the statutory timeline, yet the report is stuck in the administrative review process. Which agency is currently reviewing the Willamette hydropower report?

Response: This report is under development.

- a. Please outline the remaining steps that the administration will take prior to publishing the report.

Response: The report will be transmitted to the Congress as soon as it has completed all reviews.

- b. Please provide the specific date that the U.S. Army Corps of Engineers will submit the Willamette Hydropower study to Congress.

Response: I am unable to provide a specific date.

2. Oregon's ports are a primary source of jobs in rural areas and provide support for our commercial and recreational fishing industry that supports local economies. The Water Resources Development Act (WRDA) of 2020 included provisions to expand the use of the Harbor Maintenance Trust Fund (HMTF) and authorize additional uses of funding at emerging harbors. What steps will you take to ensure the needs of rural port communities are met and ensure that the HMTF set-aside for emerging harbors and provisions for additional uses at emerging harbors are implemented?

Response: In allocating funds, the Corps considers all eligible uses of funds including work in rural communities.

- a. In Section 1129 of the Thomas R. Carper Water Resources Development Act (WRDA) of 2024, the U.S. Army Corps of Engineers (USACE) was required to publish guidance on establishing a mechanism to assist non-federal interests in financing projects at emerging harbors within 90 days of the law's enactment. That deadline has passed. Please provide the date that USACE will publish

implementation guidance for the Emerging Harbors provision in Section 1129 of WRDA 2024.

Response: A draft Memorandum of Agreement is under development which will be utilized if appropriations are received for such assistance and will provide the guidance necessary for implementation of this section.

3. The Columbia River System is an economic powerhouse, supporting approximately 40,000 local jobs and moving more than \$31,000,000,000 worth of cargo each year. This economic opportunity is in large part thanks to the U.S. Army Corps of Engineers' (USACE) work to maintain the river depth in the channel. However, I have heard concerns about the rising costs of the Dredge Material Management Plan (DMMP) for the Columbia River. Understanding that Oregon and Washington have done their part to secure funding, please provide an update on the DMMP and how the plan will continue to prioritize the economic interests of the Columbia River.

Response: The Draft Dredged Material Management Plan (DMMP) is a 20-year strategy to ensure the Lower Columbia River's navigation channel is maintained to its authorized depth, directly supporting the nation's and region's economic vitality. While the plan requires new capital investments that are cost-shared, a detailed cost analysis reveals that the proposed plan is comparable to current operation and maintenance costs. The DMMP prioritizes national economic development by identifying a suite of efficient placement locations and includes beneficial use opportunities for the dredged material. Implementing this plan involves a substantial contribution from our non-Federal sponsors in Oregon and Washington, who are responsible for cost sharing the new capital costs and securing all necessary lands, easements, relocations, rights-of-way, and dredged material placement sites. This collaborative, long-term approach ensures the Columbia River will continue to serve as an economic powerhouse. The DMMP notice of public availability should be announced on May 6, 2026, with a Record of Decision scheduled to be signed by June 4, 2026.

Senator Kelly:

1. I wanted to ask about how the Corps is making use of the authorities provided by the Fiscal Responsibility Act to utilize Categorical Exclusions under NEPA for Civil Works Projects. Section 109 of H.R. 3746, the Fiscal Responsibility Act of 2023, allows one agency to adopt a categorical exclusion listed in another agency's NEPA procedures for a category of proposed agency actions for which the categorical exclusion. How has the Corps utilized this authority in the two years since this provision has become law?
 - a. Which Categorical Exclusions has the Corps adopted from other agencies NEPA procedures under the authority of Section 109? Please list them.

Response: With the publication of the Department of War (DoW) NEPA

Implementing Procedures in June 2025, all categorical exclusions from all DoW agencies are now available for use by the Corps. This makes 261 new categorical exclusions available for potential use by the Corps (see attached Appendix A describing the available exclusions). This number does not include the existing 23 categorical exclusions established by the Corps for use in the Civil Works Program prior to June 2025.

- b. The Corps' Continuing Authority programs and Environmental Infrastructure programs typically fund projects that have a low dollar figure, and in some instances, are projects where the Corps simply reimburses a non-federal sponsor for work completed. Over the last two years, of all of the CAP and EI projects initiated by the Corps, how many have required an Environmental Impact Statement to proceed? How many have required an Environmental Assessment? How many have been covered by a Categorical Exclusion?

Response: The table below provides the number of Environment Impact Statements (EIS), Environmental Assessments (EA), and Categorical Exclusions (CATX) by division.

EI	EIS	EA	CATX
LRD	0	81	0
NAD	0	7	2
NWD	0	3	1
MVD	0	14	2
SAD	0	11	0
SPD	0	14	16
SWD	0	7	0
GRAND TOTAL	0	137	21

2. Section 8155 of WRDA 2022 allowed projects that hit their cost-cap under Section 902 of the Water Resources Development Act of 1986 to continue construction for two years. That authority has lapsed and nearly every USACE Civil Works project in Arizona is now undergoing a cost reevaluation, which could lead to the need for post-authorization change reports which will take years to complete. Of all of the Corps Civil Works projects (nationwide) which are in design or construction, how many of these projects have hit their 902 limits?

Response: Prior to the Corps funding a project to a level that exceeds a project's Section 902 limit, the Corps will carry out a post authorization change report providing an updated economic analysis of the costs and benefits of the project and documenting the factors contributing to the cost increase. Based on certified estimates, there are 29 projects that are forecasted to exceed their Section 902 Limit. Post Authorization Change Reports are underway for each of these projects.

- a. Of these projects, how many post authorization change reports does the Corps expect will be ready in time for the passage of WRDA 2026?

Response: There are seven projects with Post Authorization Change Reports scheduled to be completed prior to WRDA 2026.

3. The Tres Rios Ecosystem Restoration project is partially constructed with the most recent phase completed in 2012. WRDA 2024 provided additional authorization to complete the Tres Rios project. Over \$110M has been spent to date to construct levees, water treatment wetlands, and other engineered and natural infrastructure for Tres Rios. The next phase due for completion is construction of trailheads to allow public access to this important public resource. Total recreational costs are less than 5 percent of the total cost for Tres Rios. Prioritizing this phase at this stage will create positive engagement with the completed phases of this ecosystem restoration project, encourage legitimate recreation uses, foster economic development, and create a sense of resident ownership which will support the long-term operation and maintenance of the current and future flood control and ecosystem restoration phases. Will you please confirm your support for completing this next important phase of the Tres Rios Project, including providing staff and supporting inclusion of this phase in the USACE Work Plan to provide necessary federal funding to fulfill the USACE's committed cost requirement?

Response: I commit to considering this project for funding along with other important projects across the nation.

4. Rio Salado Oeste is a Congressionally authorized project in WRDA 2007 that has not yet been constructed. When completed, it will provide important benefits to the Phoenix Metro area, including expected benefits for economic development. Rio Salado Oeste is currently in the midst of completing a feasibility study update, a process that started in the summer of 2023. The cost and timeframe for this study has already more than doubled from the original \$3M estimated cost, and the City of Phoenix was just informed of a new requirement from your office shifting from 20% plan completion to get a Chief's Report to a need for 35% plan completion. This new requirement is estimated to expand the cost of the feasibility study by another \$1M and extend the time of the study by another 20 months. What is the justification for this requirement on ecosystem restoration project studies that don't have significant engineered infrastructure such as levees?

Response: Robust engineering and design during feasibility are a key component in delivering projects as formulated and within costs identified as part of a project's recommendation. The 35% design threshold allows for a more thorough

identification of factors that could impact the project's cost and provides a firm basis for controlling costs before and during construction.

5. In last year's WRDA bill I secured new emergency authorities for the Army Corps to ensure the Corps can exercise your regulatory authorities differently in regions experiencing drought. These changes have the potential to save hundreds of thousands of acre feet of water in certain years in the west. When will the Corps complete implementation guidance for this provision?

Response: WRDA 2024 is the law, and the Corps is implementing the law. Implementation guidance is not needed for all provisions of WRDA. My office and the Corps are actively working on implementation guidance for those provisions that require additional clarity.

6. In Winslow, Arizona the Army Corps of Engineers is constructing a new levee system to remove the entire town from a 100-year flood plain. This project is authorized and fully funded under the bipartisan infrastructure law and the local match is in hand. I understand that the Corps is working on a new cost-estimate for this project. When will that cost estimate be completed?

Response: The total project cost summary is on schedule to be completed by October 31, 2025.

7. The Rio de Flag project in Flagstaff, Arizona is an authorized and funded flood control project to protect downtown Flagstaff from flooding that has been made worse by wildfires in the region. Phase 1 of the project should be ready for construction by Q1 of 2026. Workplan funding has been programed for this project and the non-federal share is in hand. Will you work with me and with the City to ensure that, if construction is ready to begin, work can start on the project within the scope of available resources?

Response: Yes, I commit to working with you and the city. The Corps is currently conducting a post-authorization change report (PACR) and is targeting completion before WRDA 2026. The next priority for construction contract award is Phase 4, which generally extends from the completed Butler Tunnel to the confluence of Rio De Flag with Clay Avenue Wash.

- a. If a PACR is required, will you commit to ensuring that report is completed as quickly as possible – so that it's provided to Congress in time for WRDA 2026?

Response: The Corps commits to completing this PACR as quickly as possible before WRDA 2026.

Senator Padilla:

1. At the Environment and Public Works Committee hearing on October 17, we discussed the commitments you made during your confirmation hearing to uphold donor and energy port funding as directed by WRDAs 2020 and 2022. However, neither the Administration's FY25 workplan nor its budget proposal for FY26 reflects the increased

funding targets for donor and energy ports that Congress directed. At the October 17 hearing, you indicated that appropriations laws compelled you to provide less than the 12% set aside for donor and energy ports in WRDA 2020 in the FY25 workplan. What about the FY25 continuing resolution or other appropriations laws compelled you to provide less than the 12% set aside for donor and energy ports in the FY25 workplan?

Response: Section 1113 of the Full-Year Continuing Appropriations and Extensions Act, 2025 required agencies to submit a spend plan to Congress for fiscal year 2025. Section 1503 of the Act further clarified certain requirements for this spend plan for the Corps. The FY 2025 Corps Work Plan allocated resources provided in the Act consistent with the requirements of the Full-Year Continuing Appropriations and Extensions Act, 2025 and based on an assessment of the best overall uses of funds, and included funding for donor and energy transfer ports to the extent practicable and to the extent there were identifiable operations and maintenance needs consistent with WRDA 2020.

- a. What steps is your office taking to ensure WRDA 2020 will be followed when making FY26 HMTF allocations for donor and energy transfer ports?

Response: Once an appropriations bill is passed, the FY 26 work plan recommendation will be developed in accordance with applicable laws and authorities.

2. Recognizing that you have been in your post for just under seven weeks, I know that you are working hard to get up to speed. However, I am hoping to get your thoughts on improving the Corps' benefit to cost calculations so that underserved communities are not left behind. Your immediate predecessor adopted the comprehensive benefits memo which was written by Assistant Secretary James during the President's first term. Do you also plan to adopt this comprehensive benefits memo?

Responses: I commit to reviewing the memorandum.

3. In its budget proposal to Congress, the Administration recommends zeroing out funding for the Corps' Water Infrastructure Financing Program, claiming that the program is duplicative to the EPA's WIFIA Program. In my experience, these programs are not at all duplicative as they finance vastly different water infrastructure needs. Have you seen any evidence of the levees and dams that the Corps would finance being duplicative to the water supply and drinking water projects EPA finances?

Response: The FY 2026 budget eliminates this program because there is no demonstrated need in the private market for Federal financial assistance for these types of projects. See Letter from Office of Management and Budget to Hon. Susan Collins, Chair, Committee on Appropriations at p. 36 (May 5, 2025). Moreover, the Corps WIFIA program is duplicative of other programs, such as FEMA's National Dam Safety Program and the EPA's WIFIA Program and is not an efficient use of federal resources.

- a. When Congress created WIFIA and the Corps' financing program in the WRDA 2007 bill, the intent was to support all water infrastructure regardless of whether or not the projects are federally authorized. Why does the Administration believe

that these federal financing tools should only be used on non-federally authorized projects?

Response: The Further Consolidated Appropriations Act of 2020, Public Law 116-94, required the publication of criteria that “limit Federal participation in a project consistent with the requirements for the budgetary treatment provided for in Section 504 of the Federal Credit Reform Act of 1990 [FCRA; [2 U.S.C. 661c](#)]] and based on the recommendations contained in the 1967 Report of the President's Commission on Budget Concepts [(1967 Report)].” In response, 85 FR 39189 was published which in footnote 3 acknowledged that: “A project authorized by an Act of Congress to be built by the Army Corps of Engineers or Bureau of Reclamation is ineligible for WIFIA financing. However, a project that may connect to, or be tangentially related to, such a project, may be eligible depending on the factual circumstances (e.g., a project to upgrade a water distribution system that is connected to an Army Corps of Engineers- or Bureau of Reclamation-constructed water source may be eligible for WIFIA financing in some circumstances). Furthermore, a project at a local municipal facility might not be deemed ineligible simply because it was originally built by the Army Corps of Engineers or Bureau of Reclamation. Such questions will need to be resolved on a case-by-case basis.”

4. The Corps, in collaboration with local and state agencies, is conducting a flood control feasibility study to identify a project which is essential to protecting the lives of over 55,000 residents and critical infrastructure in San Joaquin County. After three consecutive years of funding, the Lower San Joaquin River Feasibility Study (Lathrop-Manteca) was not included in the President's Budgets for either FY 2025 or the FY26. The non-federal sponsors were told that the study was not funded in FY25 because the study's 3x3x3 waiver exemption documentation had not yet been approved by the Assistant Secretary in time for budget consideration. A clear explanation has yet to be provided as to why the study did not receive funding in the President's FY26 Budget Request. In the meantime, what was originally a \$3 million study has now escalated to a study that will cost close to \$10 million or more. Will you commit to take all necessary actions to allocate funding for this study in both the FY26 Work Plan and the FY27 President's Budget Request?

Response: I commit to considering this project for funding along with other important projects across the Nation.

- a. Will you commit to ensure all pending reviews and approvals associated with the study's new cost change request to support a second waiver exemption are considered in the most expeditious manner possible?

Response: Yes.

5. West Sacramento is another California flood control project whose funding was removed in the FY25 workplan and which was not proposed for funding in the President's budget

for FY 26. This is an important project to protect Sacramento, which has the highest flood risk of any major city in the nation. My understanding is that the Programmed Balance to Complete this project after FY 2025 is \$1.226 million. Can you discuss your funding strategy for advancing the West Sacramento project?

[Response: This project will be considering for funding along with other important projects across the nation.](#)

6. I understand that Senator Schiff sent you QFRs regarding 1) raising of Pine Flat Dam in Fresno County; 2) the raising of Buchanan Dam and expansion of Eastman Lake; and 3) the Redbank and Fancher Creek Reoperation Study. I share Senator Schiff's strong interest in these projects. To avoid redundancy, I will not repeat those questions here. I will, however, be interested in seeing how you answer his questions.

Senator Schiff:

1. The Army Corps' most recent Construction work plan increased funding for red states by 30 percent, while decreasing funding for blue states by over 50 percent. This raises concerns that the administration is rewarding states that voted for President Trump and punishing those that did not. Do you have concerns about this disparity? Is the U.S. Army Corps of Engineers supposed to support projects and prevent serious harm from natural disasters irrespective of politics?

[Response: The Administration funds projects consistent with law and Administration policies.](#)

2. Earlier this year, the Corps released billions of gallons of water from two California reservoirs, which went to waste and would have otherwise been used in the dry season. More recently, the Corps was involved in altering flows in an Ohio Lake to create optimal boating conditions during a trip for Vice President Vance's birthday, including reportedly for security concerns. These examples raise concerns that this Administration is taking advantage of federal resources for personal or political gain. How are each of these instances aligned with the Corps' mission of protecting the American people? Will you commit to no longer fulfilling individual, personal or overtly political requests that manipulate public resources for personal benefit and fall outside the scope of the Corps' core mission?

[Response: The Corps has a record of adjusting flows when consistent with project operating manuals, and the agency remains committed to doing so.](#)

The Corps made water releases within the scope of its longstanding operational authorities, which allow the agency to manage reservoir capacity while balancing multiple stakeholder interests. Before making significant reservoir releases, the Corps coordinates with relevant state and local agencies, irrigation districts, and emergency management officials. The Corps adjusted flow rates based on downstream conditions and monitored for any adverse effects while considering, among other things, how to minimize disruptions to private landowners and agricultural users while maintaining compliance with operational requirements. The Corps remains committed to clear and

timely communications regarding water management decisions and will work closely with state and local authorities to ensure actions taken are consistent with public safety and resource stewardship.

3. President Trump recently issued an executive order directing Secretary Telle to expedite permitting for data centers and suggests that a nationwide permit be used for data centers to avoid proper individualized review under the Clean Water Act. While I believe America needs to remain the world's leader in technology and innovation, I also believe we don't need to sacrifice water quality standards to do so. How will you and the Army Corps be implementing this directive?

Response: The Corps already has a nationwide permit that authorizes discharges of dredged or fill material associated with commercial and institutional developments. Data centers are a type of commercial development. The Corps also has nationwide permits that authorize discharges of dredged or fill material for features associated with data centers, such as roads and electric, water, and communication utility crossings. The Corps remains committed to utilizing the current and future NWP programs to only authorize activities that have no more than minimal individual and cumulative adverse environmental effects consistent with law.

- a. Is a blanket nationwide permit under the Clean Water Act – typically used for buildings that are .5 acres or less – appropriate to be used for a data center facility that is 1,000 or even 2,000 acres in size? Do you agree that review should be conducted as facilities of this scale can destroy large parcels of wetlands and pollute water bodies, and proper review must be conducted?

Response: The Corps' authority under Section 404 of the Clean Water Act is limited to discharges of dredged or fill material into waters of the United States. The Corps does not have authority over the portions of the overall project occurring outside of jurisdictional waters except where those activities have a direct or indirect effect on jurisdictional aquatic resources. General permits may be issued for any category of activities involving discharges of dredged or fill material into waters of the United States if the activities in such a category are similar in nature, will cause only minimal adverse environmental effects when performed separately, and will have only minimal cumulative adverse effects on the environment. If the threshold of minimal adverse environmental effects is exceeded, the Corps typically requires individual permit review under standard permit procedures.

4. In June of this year, the Corps published a proposed rule (Docket Number: COE-2025-0002) to modify nationwide permits under the Clean Water Act. The public comment period for this proposal ended on July 18. Is it your intention to include a new nationwide permit or modification of a current nationwide permit for data center facilities within this rulemaking? If you intend to include this new nationwide permit in the final rule, will you commit to opening an additional public comment period, as a policy change of this scale would merit?

Response: The Corps already has a nationwide permit, NWP 39, which authorizes discharges of dredged or fill material associated with commercial and institutional developments. Data centers are a type of commercial development. The proposed rule to reissue the nationwide permits does not include a proposed new nationwide permit that would explicitly authorize discharges of dredged or fill material associated with the construction of data centers.

5. Section 1164 of the 2024 Water Resources Development Act authorizes the emergency drought operations pilot program. Do you see a need for appropriations from Congress to implement this provision, or can it be implemented using Operation and Maintenance (O&M) funding made available for such projects?

Response: Funding would be required to implement this authority.

6. The raising of Pine Flat Dam in Fresno County has been awaiting a feasibility study with the Corps for a long time. It has bipartisan support in the San Joaquin Valley because it adds critical flood protection needed to prevent the kind of devastation we saw in Fresno, Kings, and Tulare counties in 2023. It will also add water supply to protect against drought impacts and new demands from California's Sustainable Groundwater Management Act (SGMA). Nevertheless, despite multiple letters, authorizations, WRDA language directing expedited completion, Community Project Funding requests and several meetings, the study has not started.

- a. Can you commit to prioritizing the Pine Flat Dam raise project, as directed in the 2024 WRDA?

Response: This study will be considered for funding along with other important studies and projects across the nation.

- b. Stakeholders have heard that the Corps won't have capability to begin this study until FY28. Can we count on this project being included in the Corps budget and workplan no later than FY28?

Response: The Corps is continuously evaluating its capability based on real-time conditions, including funding, staffing, and administration and congressional priorities. The proposed study will receive consideration in future funding cycles along with the many other worthwhile programs, studies, and projects across the nation.

7. The raising of Buchanan Dam and expansion of Eastman Lake has been awaiting a feasibility study for a long time. It has bipartisan support in the San Joaquin Valley because it provides critical flood protection needed to prevent the kind of devastation seen in 2023. It will also provide a vital water supply to protect against the impacts of drought and new demands from SGMA. Nevertheless, despite multiple letters, authorizations, WRDA language directing completion, Community Project Funding requests, and several meetings, the study has not started.

- a. Can you commit to prioritizing the Buchanan Dam raise project, as directed in the

2024 WRDA?

Response: This study will be considered for funding along with other important studies and projects across the nation.

- b. When can the Buchanan Dam raise study be expected to be included in the Corps budget?

Response: The proposed study will receive consideration in future funding cycles along with the many other worthwhile programs, studies, and projects across the nation.

- 8. The Redbank and Fancher Creek Reoperation Study was not included in any recent appropriations requests. Therefore, the study is facing a study pause which will increase the cost and delay the schedule for this project.

- a. What is the Sacramento District FY27 capability for the Redbank & Fancher Study? It is expected that about \$500,000 will be needed in FY27 to allow the Corps to support the non-federal sponsor's efforts on the approved work-in-kind elements of the project scope.

Response: The Corps cannot provide an FY27 capability estimate for the study at this time.

- b. If Federal funding is received in FY27, will USACE leadership leverage available staffing across USACE to continue work on the Redbank and Fancher Study?

Response: Assuming Federal funding is received in FY27, Corps leadership will carefully evaluate available resources and staffing across the organization to support continued progress on the Redbank and Fancher study. The Corps is committed to effectively utilizing our capabilities to advance these efforts in alignment with the funding and project priorities.

- c. Can the Administration reclassify the existing Redbank and Fancher Study as a Managed Aquifer Recharge Pilot Feasibility Study under Section 8108(b) of the 2022 WRDA and authorize the Sacramento District Commander to execute any needed amendment to the feasibility cost-sharing agreement to carry out this reclassification within 60 days?

Response: The Corps has not selected any projects under Section 8108(b) of WRDA 2022.

Senator CAPITO. Thank you, Secretary Telle. Appreciate that opening statement.

Next we will hear from Lieutenant General William H. Graham, Jr., the 56th Chief of Engineers and Commanding General of the U.S. Army Corps of Engineers. General Graham assumed these duties last September after serving as the Corps' Deputy Commanding General for Civil and Emergency Operations. As Commanding General, he is responsible for over 30,000 civilian employees and 800 military personnel in more than 110 countries.

General Graham, really, welcome, thank you for serving, thank you for being here. We look forward to your opening statement.

STATEMENT OF LIEUTENANT GENERAL WILLIAM H. GRAHAM, JR., 56TH CHIEF OF ENGINEERS AND COMMANDING GENERAL, DEPARTMENT OF THE ARMY, U.S. ARMY CORPS OF ENGINEERS

General GRAHAM. Chairman Capito, Ranking Member Whitehouse, members of the Committee, I am very honored to testify before you today in regard to oversight of the U.S. Army Corps of Engineers Civil Works program and implementation of the Water Resources Development Acts.

Through the Civil Works Program, the Army Corps works our partners to study, build and operate water resource projects focusing on our three main mission areas of commercial navigation, flood and storm damage reduction, and aquatic ecosystem restoration. Let me break those down.

The navigation program, which consists of our coastal and Great Lakes channels, as well as the inland rivers and inter-coastal waterways, underpins much of the national economy, ensuring that commodities can move reliably and efficiently. Our flood and storm reduction program maintains 746 dams, over 13,000 miles of Federal levees and 450 miles of shore protection. Those systems provide, on average, a staggering \$200 billion per year of flood damages avoided.

To continuously maintain and improve these mission areas, I certainly want to thank this committee, as was mentioned by the Chairman, for supporting the Corps' Civil Works program with your commitment, since 2014, to passing biannual Water Resources Development Acts. Those acts have provided us with the authorities necessary to address the changing needs of the Nation's water resources infrastructure.

WRDA 2024 advanced the Corps' principal civil works missions by authorizing new navigation, flood risk management, coastal storm risk management, and aquatic ecosystem restoration studies and projects all across the Country. These studies and projects, when funded, will strengthen the supply chain, better protect Americans from flooding and improve degraded aquatic environments.

We deeply value the authorities you have entrusted to us. Our pledge is to put them to work to deliver for the American people. To that end, the Army Corps' objective every day is to safely deliver quality projects on schedule within budget. We measure this closely. Our scheduled delivery, our current on-schedule rate when

I checked this morning was 80.4 percent. That is a low, low, low B. That is unacceptable.

This performance is influenced by factors we can control and factors such as inflation that we do not control. Focusing on those things that we can control, the Army Corps is absolutely committed to procedural improvements, as Mr. Telle spoke about, in the following three areas.

First, we have to get the engineering right. Focus here is on the majority of the designs. We will not request authority to build new projects unless the design is advanced enough that we truly understand what we are proposing to build. That threshold is usually around the 35 percent level. We have not been doing that in the past.

There are some nuances on how we need to work to break down large, complex projects and there are some nuances on cost-sharing of studies vice cost-sharing of construction. We are committed to working through those nuances with this committee.

Fundamentally, fundamentally, we need to better understand what it is we are proposing to build before we ask you for authority to build it.

The second thing, we have to get the project management right. Here we are focusing on crafting logical, fully resourced schedules and sticking to them, ensuring that we are delivering these important projects with a great sense of urgency, or as General Kelly puts it, hustle. If we stay on schedule, then we are likely to stay on budget.

Third thing, we have to get the team right. We are striving to bring together the right mix of talent with either onboard manning or leveraging the incredible talents in the private sector.

In closing, the path to successful delivery is clear: plan projects thoroughly, fund them efficiently; and build them rapidly with the right team of master builders. I look forward to working with this committee to stay on that path.

Thank you for the opportunity to testify today. I look forward to addressing your questions.

[The prepared statement of General Graham follows:]

**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS**

COMPLETE STATEMENT OF

**LIEUTENANT GENERAL WILLIAM H. "BUTCH" GRAHAM, JR.
CHIEF OF ENGINEERS**

BEFORE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

UNITED STATES SENATE

ON

**OVERSIGHT OF THE US ARMY CORPS OF ENGINEERS
CIVIL WORKS PROGRAM AND IMPLEMENTATION OF WATER
RESOURCES DEVELOPMENT ACTS**

SEPTEMBER 17, 2025

Chairman Capito, Ranking Member Whitehouse, and Members of the Committee:

I am honored to testify before your committee today, along with Mr. Adam Telle, the Assistant Secretary of the Army for Civil Works, in regard to oversight of the US Army Corps of Engineers (Corps) Civil Works program and implementation of Water Resources Development Acts (WRDAs). I look forward to continuing to work with this committee, the Congress, and the Administration to help address the Nation's water resources challenges.

Through the Civil Works Program, the Corps works with other Federal agencies, and with state, Tribal, and local agencies and others, to develop, manage, restore, and protect water resources, primarily through the construction, operation and maintenance, and study of water-related infrastructure projects. The Corps focuses on work that provides high economic, environmental, and public safety returns to the Nation. The Corps also regulates development in waters of the United States and works with other Federal agencies to help communities respond to, and recover from, floods and other natural disasters.

The authorizations and funding provided to the Corps by Congress allow us to advance our three main missions of commercial navigation, flood and storm damage reduction, and aquatic ecosystem restoration, as well as support related project purposes, such as water supply, hydropower, and recreation. The Civil Works program is performance-based and focuses on high-performing projects and programs within these three main mission areas. The Corps uses its engineering expertise and relationships with project sponsors and other stakeholders to develop innovative approaches to address some of the most pressing water resources challenges facing the Nation. Since 2014, the Congress has passed a WRDA bill every two years to address evolving water resources issues.

The WRDA of 2024 advances the Corps principal Civil Works missions by authorizing new navigation, flood risk management, coastal storm risk management, and aquatic ecosystem restoration projects and studies across the country. The legislation reinforces the Corps' partnership with non-federal sponsors by reauthorizing and refining existing programs, while introducing new tools to enhance coordination with non-federal partners, improve project delivery, and address evolving national priorities. WRDA 2024 also formalizes the creation of an implementation planning team to track the status of implementation of prior WRDAs.

To promote long-term infrastructure resilience and to support coastal and riverine communities, WRDA 2024 provides expanded authority for forecast-informed reservoir operations and supports beneficial use of dredged material for shoreline restoration and flood risk reduction. It also authorizes recurring coastal mapping activities to ensure timely data for navigation safety and storm preparedness. Across all mission areas, WRDA 2024 includes provisions to streamline project implementation, facilitate crediting

for non-federal contributions such as technical models, and improve transparency in project prioritization, strengthening the Corps ability to deliver safe, high-quality water resources infrastructure that supports both local communities and national economic interests.

My top priorities include identifying the highest priority potential investments for the Army Civil Works Program, starting with the maintenance of our existing infrastructure, and ensuring that we deliver studies and finish quality projects safely, on time, and within budget. I remain focused on implementing strategies to enhance project delivery efficiency and cost predictability. By strengthening feasibility study and preconstruction engineering and design (PED) requirements, and by using risk management principles, the Corps is working to improve cost and schedule accuracy. Increased industry engagement, including early contractor involvement and market research initiatives, is helping to align expectations and ensure more competitive bids.

A sustainable Civil Works program requires effective project delivery methods, and strong partnerships with federal, state, Tribal, and local stakeholders. By enhancing early-stage project development, and proactively managing risks, the Corps is working to ensure that its infrastructure investments will continue to provide the greatest return on investment to the Nation at a reasonable cost. These priorities will ensure a better return on taxpayer investment and improve the lives of all Americans.

Thank you, Chairman Capito, Ranking Member Whitehouse, and Members of the Committee. This concludes my statement. I look forward to answering any questions you or other Members of the Committee may have.

Senate Committee on Environment and Public Works
Hearing Entitled, “Oversight of the US Army Corps of Engineers”
September 17, 2025
Questions for the Record for Lieutenant General William H. Graham, Jr.

Senator Cramer:

1. I’ve heard from many stakeholders about how slow the U.S. Army Corps of Engineers (Corps) Section 408 review process is. From what I understand, it consistently takes over 9 months to complete and often delays projects. Under the philosophy of doing less with less I think its clear reforms are badly needed and not more tax dollars. In that vein, I know several Corps Divisions have regional categorical permissions to allow certain projects to move forward more efficiently. I think it’s an excellent idea and something to be emulated across the board. Unfortunately, neither the St. Paul District nor Omaha District currently have something like this in place.

- a. Can some of these regional categorical permissions be quickly replicated nationwide? Is it something you will prioritize and work to advance from the Corps H.Q. level?

Response: The Corps is developing a Statement of Work for the development of Section 408 Regional Categorical Permissions (RCP) that will be applicable in the Mississippi Valley Division, which includes the St. Paul District. Similar efforts have already been successfully implemented in the Great Lakes and Ohio River Division as well as the South Pacific Division.

- b. What other changes can be made to the 408 process to improve timelines?

Response: The development and use of categorical permissions and following the updated National Environmental Policy Act for the Section 408 program at 33 CFR Part 333 will improve timelines. In addition, the Corps is working on a standard request form to streamline the process and conducting training which should help drive consistency and efficiency to improve timelines.

Senator Ricketts:

1. The 1979 Missouri River Mainstem Reservoir System Master Water Control Manual (Master Manual) identified eight authorized project purposes: flood control, navigation, irrigation, hydropower, water supply, water quality, recreation, and fish and wildlife. At that time, flood control was clearly prioritized above the other purposes. However, an amendment to the 1979 Master Manual reflected in the 2004 Master Manual, reversed the U.S. Army Corps of Engineers’ (Corps) historical flood control water management practices, putting all project purposes on the same level as flood control due to complying with the Endangered Species Act (ESA). This amendment was court ordered. As a result, farmers and landowners along the Missouri River filed *Ideker Farms, Inc., et al. v. United States*, claiming that the Corps’ 2004 policy shift led to recurrent flooding on their land between 2007 and 2014. In 2018, the trial court found the Corps responsible for recurrent

flooding due to its 2004 decision to deprioritize flood control. Despite that ruling, the current Master Manual, last updated in 2018 and still governing the Corps' operations on the Missouri River, does not clearly prioritize the authorized project purposes.

- a) General Graham, does the Corps currently treat the eight identified authorized project purposes as equal priorities?

Response: No. Life and safety are always the top priorities.

- b) If they are treated equally, what Congressional action is needed to establish clear project priorities for the Corps to follow?

Response: No Congressional action is needed.

- c) If they are not treated equally, what legal basis does the Corps have for moving away from the 2004 Master Manual?

Response: The Corps operates the Missouri River Mainstem Reservoir System in compliance with the 1944 Flood Control Act, that authorized the System, and other federal laws. Engineering regulations require the Corps to review our water control plans no less than every 10 years and to revise them as needed. R

- d) How does the Corps currently make decisions with the project purposes listed in the 2018 Master Manual? Specifically, how does the Corps make decisions regarding water control when project purposes such as flood control and ESA obligations conflict?

Response: The authorized purposes do not conflict with ESA. Operations to support ESA are only taken when hydrologic conditions allow.

Ranking Member Whitehouse:

1. Under President Trump's so-called "national energy emergency," the Corps has approved emergency permit processing procedures. Thus far, it appears that the Corps has issued public notices officially designating 25 permit applications for emergency treatment and issued permits for three of those—two for interstate gas pipelines or LNG terminals, and one for a railyard associated with a refining catalyst plant. Is the Corps applying the emergency procedures to any pending permit applications without first having issued a public notice officially designating each permit application for processing under the emergency procedures?

Response: The emergency processing procedures developed by the Corps Regulatory Program in accordance with EO 14156 became effective on April 15, 2025. Implementation of the EO 14156 emergency processing procedures allows districts to switch current pending applications over to the new emergency procedures when they became effective. As is typical of our normal permitting workload, the majority of the current pending applications (215 of 222) are being processed under general permit processing procedures which do not require issuance of a public notice.

- a. Please provide a complete list of the permit applications that the Corps is currently processing under the emergency procedures.

Response: We have provided a list of permits applications as of September 11, 2025, that may rely on these emergency procedures.

- b. Please provide a complete list of the permits that the Corps has issued under the emergency procedures.

Response: We have provided a list of the Regulatory Program's finalized permit actions that relied on emergency procedures from April 15 - September 17, 2025.

2. Many of the Corps' nationwide permits require that the project proponent submit a preconstruction notification to the District Engineer. The preconstruction notification provides the District Engineer with the opportunity to add conditions to the authorization to ensure that the project, along with other activities in the same category, does not cause more than minimal adverse environmental impacts. During the period covered by the nationwide permits issued in 2017 and 2021, how many times have District Engineers imposed additional conditions to reduce the adverse effects of covered activities?

Response: Nationwide Permits (NWP) are used to authorize approximately 50,000 regulated activities per year. The Corps receives preconstruction notifications for approximately 20,000 of these. Approximately 70% of preconstruction notifications reviewed by Corps districts resulted in nationwide permit verifications with special conditions. These special conditions are activity-specific and ensure the NWP activity will have only minimal individual and cumulative adverse environmental effects and will not be contrary to the public interest.

- a. Please provide a list and description of each instance a District Engineer imposed additional conditions during the period covered by the nationwide permits issued in 2017 and 2021.

Response: Based on a review of the 2017 and 2021 NWPs, approximately 70 percent of preconstruction notifications reviewed by Corps districts resulted in nationwide permit verifications with special conditions. These special conditions can include measures to avoid and minimize environmental impacts or compensatory mitigation requirements to offset authorized losses of jurisdictional waters and wetlands so that the net adverse environmental effects are no more than minimal.

- b. When assessing the need for additional conditions, what data and analysis do District Engineers rely upon to evaluate the cumulative effects of other permitted activities nationwide in the same category?

Response: The district engineer will review the preconstruction notification (PCN) and determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. When making minimal adverse environmental effects determinations, the district engineer will consider the reasonably foreseeable effects

caused by the regulated activity. District engineers will also consider the cumulative adverse environmental effects caused by activities authorized by an NWP and whether those cumulative adverse environmental effects are no more than minimal. The case-by-case review of PCNs often results in district engineers adding activity-specific conditions to NWP verifications to ensure that the adverse environmental effects are no more than minimal.

3. One of the guiding principles of the Corps' Agency-Specific Procedures to implement the Principles, Requirements, and Guidelines for federal investments in water resources is to achieve full collaboration with a wide range of affected stakeholders and the public in all stages of the planning process. Using specific examples from ongoing feasibility studies, can you explain how the Corps is applying this guiding principle to engage with a wide range of affected stakeholders and the public at each stage of the planning process and to promote transparency in decision-making?

Response: The following examples from three key points during a water resources project investigation demonstrate how the Corps is applying the guiding principles. In addition to opportunities for face-to-face engagements, Districts host project web pages that offer information such as fact sheets, maps, presentations, reports, and that provide points of contact for the public to seek additional project details or engagements. While certain public comment periods are required by laws or regulations, the public is always welcome to provide input on the missions and work of the Corps of Engineers. Some specific examples from ongoing studies are detailed below.

In the summer of 2024, the New Orleans District began evaluating potential design changes to the Morganza to the Gulf Louisiana Hurricane and Storm Damage Risk Reduction Project. At the start of the investigation a series of three public scoping meetings were held over the course of two weeks in different communities within the project area. South Louisiana's unique landscape and coastal environment create conditions where communities are built along linear ridges surrounded by waterways and wetlands. While road access exists in these areas, the ability to travel from one community to another is challenged by the landscape. This often means traveling by boat or using circuitous road routes. The district's scheduling of three meetings in different communities across the area helped facilitate public engagement in the early stages of project planning.

After planning work is completed and feasibility level technical details such as engineering designs, real estate assessments, and environmental compliance are developed, a final report package is prepared. At this stage the sponsor, the public and other government agencies are offered another chance to review the report and to provide input. For projects seeking construction authorization from Congress, two formal comment opportunities are offered during the final report stage. These are a state and agency review and a review under the National Environmental Policy Act.

4. Is the Corps on track to achieve its goal of using 70 percent of material dredged from federal navigation channels beneficially by 2030?

Response: Yes.

- a) How is the Corps tracking its progress toward the goal?

Response: The Corps is tracking this goal through the Sediment Placement Data Viewer that tracks dredging volumes and placement locations.

Senator Kelly:

1. I wanted to ask about how the Corps is making use of the authorities provided by the Fiscal Responsibility Act to utilize Categorical Exclusions under NEPA for Civil Works Projects. Section 109 of H.R. 3746, the Fiscal Responsibility Act of 2023, allows one agency to adopt a categorical exclusion listed in another agency's NEPA procedures for a category of proposed agency actions for which the categorical exclusion. How has the Corps utilized this authority in the two years since this provision has become law?

- a. Which Categorical Exclusions has the Corps adopted from other agencies NEPA procedures under the authority of Section 109? Please list them.

Response: With the publication of the Department of War (DoW) NEPA Implementing Procedures in June 2025, all categorical exclusions from all DoW agencies are now available for use by the Corps. This makes 261 new categorical exclusions available for potential use by the Corps (see attached Appendix A describing the available exclusions). This number does not include the existing 23 categorical exclusions established by the Corps for use in the Civil Works Program prior to June 2025.

- b. The Corps' Continuing Authority programs and Environmental Infrastructure programs typically fund projects that have a low dollar figure, and in some instances, are projects where the Corps simply reimburses a non-federal sponsor for work completed. Over the last two years, of all of the CAP and EI projects initiated by the Corps, how many have required an Environmental Impact Statement to proceed? How many have required an Environmental Assessment? How many have been covered by a Categorical Exclusion?

Response: The table below provides the number of Environment Impact Statements (EIS), Environmental Assessments (EA), and Categorical Exclusions (CATX) by division.

EI	EI S	E A	CAT X
LRD	0	81	0
NAD	0	7	2
NWD	0	3	1
MVD	0	14	2

SAD	0	11	0
SPD	0	14	16
SWD	0	7	0
GRAND TOTAL	0	13	21

2. Section 8155 of WRDA 2022 allowed projects that hit their cost-cap under Section 902 of the Water Resources Development Act of 1986 to continue construction for two years. That authority has lapsed and nearly every USACE Civil Works project in Arizona is now undergoing a cost reevaluation, which could lead to the need for post-authorization change reports which will take years to complete. Of all of the Corps Civil Works projects (nationwide) which are in design or construction, how many of these projects have hit their 902 limits?

Response: Prior to the Corps funding a project to a level that exceeds a project's Section 902 limit, the Corps will carry out a post authorization change report providing an updated economic analysis of the costs and benefits of the project and documenting the factors contributing to the cost increase. Based on certified estimates, there are 29 projects that are forecasted to exceed their Section 902 Limit. Post Authorization Change Reports are underway for each of these projects.

- a. Of these projects, how many post authorization change reports does the Corps expect will be ready in time for the passage of WRDA 2026?

Response: There are seven projects with Post Authorization Change Reports scheduled to be completed prior to WRDA 2026.

3. The Tres Rios Ecosystem Restoration project is partially constructed with the most recent phase completed in 2012. WRDA 2024 provided additional authorization to complete the Tres Rios project. Over \$110M has been spent to date to construct levees, water treatment wetlands, and other engineered and natural infrastructure for Tres Rios. The next phase due for completion is construction of trailheads to allow public access to this important public resource. Total recreational costs are less than 5 percent of the total cost for Tres Rios. Prioritizing this phase at this stage will create positive engagement with the completed phases of this ecosystem restoration project, encourage legitimate recreation uses, foster economic development, and create a sense of resident ownership which will support the long-term operation and maintenance of the current and future flood control and ecosystem restoration phases. Will you please confirm your support for completing this next important phase of the Tres Rios Project, including providing staff and supporting inclusion of this phase in the USACE Work Plan to provide necessary federal funding to fulfill the USACE's

committed cost requirement?

[Response: I commit to considering this project for funding along with other important projects across the nation.](#)

4. Rio Salado Oeste is a Congressionally authorized project in WRDA 2007 that has not yet been constructed. When completed, it will provide important benefits to the Phoenix Metro area, including expected benefits for economic development. Rio Salado Oeste is currently in the midst of completing a feasibility study update, a process that started in the summer of 2023. The cost and timeframe for this study has already more than doubled from the original \$3M estimated cost, and the City of Phoenix was just informed of a new requirement from your office shifting from 20% plan completion to get a Chief's Report to a need for 35% plan completion. This new requirement is estimated to expand the cost of the feasibility study by another \$1M and extend the time of the study by another 20 months. What is the justification for this requirement on ecosystem restoration project studies that don't have significant engineered infrastructure such as levees?

[Response: Robust engineering and design during feasibility are a key component in delivering projects as formulated and within costs identified as part of a project's recommendation. The 35% design threshold allows for a more thorough identification of factors that could impact the project's cost and provides a firm basis for controlling costs before and during construction.](#)

5. In last year's WRDA bill I secured new emergency authorities for the Army Corps to ensure the Corps can exercise your regulatory authorities differently in regions experiencing drought. These changes have the potential to save hundreds of thousands of acre feet of water in certain years in the west. When will the Corps complete implementation guidance for this provision?

[Response: WRDA 2024 is the law, and the Corps is implementing the law. Implementation guidance is not needed for all provisions of WRDA. My office and the Corps are actively working on implementation guidance for those provisions that require additional clarity.](#)

6. In Winslow, Arizona the Army Corps of Engineers is constructing a new levee system to remove the entire town from a 100-year flood plain. This project is authorized and fully funded under the bipartisan infrastructure law and the local match is in hand. I understand that the Corps is working on a new cost-estimate for this project. When will that cost estimate be completed?

[Response: The total project cost summary is on schedule to be completed by October 31, 2025.](#)

7. The Rio de Flag project in Flagstaff, Arizona is an authorized and funded flood control project to protect downtown Flagstaff from flooding that has been made worse by wildfires in the region. Phase 1 of the project should be ready for construction by Q1 of 2026. Workplan funding has been programed for this project and the non-federal share is in hand. Will you work with me and with the City to ensure that, if construction is ready to begin, work can start on the project within the scope of available resources?

Response: Yes, I commit to working with you and the city. The Corps is currently conducting a post-authorization change report (PACR) and is targeting completion before WRDA 2026. The next priority for construction contract award is Phase 4, which generally extends from the completed Butler Tunnel to the confluence of Rio De Flag with Clay Avenue Wash.

- a. If a PACR is required, will you commit to ensuring that report is completed as quickly as possible – so that it's provided to Congress in time for WRDA 2026?

Response: The Corps commits to completing this PACR as quickly as possible before WRDA 2026.

Senator Padilla:

1. Engineer to engineer, I know how hard it is to work in a resource constrained environment. However, I also know that when engineers are given the resources they need, project delivery vastly improves. This is one of the reasons why I was stunned to see the Administration's rejection of funding in the FY25 work plan and the FY26 budget proposal for levee construction projects that are already underway throughout California, in particular for the underserved community of Pajaro which was devastated by flooding

just a few short years ago after three earlier devastating floods in the 1990's. I understand that the Pajaro levee project must receive \$221.5 million by Fiscal Year 2027, or else this long-delayed control project will be delayed yet again. Can you assure this Committee that the FY26 and 27 workplans together will provide the \$221.5 million for the Pajaro River project to prevent yet another delay to the project?

Response: This project will continue to receive consideration in future funding cycles along with the many other worthwhile programs, studies, and projects across the nation.

2. During a similar hearing last week before the House Transportation & Infrastructure Committee, you made a commitment to completing the post-authorization change report for the LA River Ecosystem Restoration project. I appreciate your attention to that important project. I understand that a post-authorization change report is also underway for the Port of Long Beach's deep draft navigation project. Will you also commit to completing and submitting that report for the Port's project in time for the next WRDA bill?

Response: Yes, I will commit to completing and submitting the report as quickly as possible.

3. As we enter what is my state's wet season, how much does the Corps rely on real-time forecasting by the National Weather Service staff in operating reservoirs.

Response: The Corps relies heavily on real-time forecasting by the National Weather Service.

- a. What impacts are you expecting in the timing and quality of information you will receive as a result of staff reductions the National Weather Service is experiencing?

Response: The Corps cannot speculate on how staffing changes at the National Weather Service may impact the timing and quality of information.

4. I want to repeat my concerns with the removal of construction funding for four California flood control projects in the FY25 work plan – and the absence of funding for these projects yet again in the FY26 President’s budget. One advantage of consistent budgeting is that it can provide a structure for more cost-effective design-build contracts, rather than getting just enough funding for project design and then entering into separate construction contracts. Is the Corps attempting to budget for design-build contracts, and if so, how is that reflected in your budget proposals?

Response: Yes, the Corps evaluates all procurement methods for efficient program delivery and will express capability accordingly.

5. The Corps, in collaboration with local and state agencies, is implementing the Lower San Joaquin River Project to address significant flood risks in north and central Stockton, California. Historical flood events in 1955, 1958, and 1997 have underscored the area's vulnerability. The project aims to protect a population at risk of 300,000 residents, over 71,000 acres of mixed-use land, and approximately \$21 billion in property value. The \$2 billion flood reduction project reduces flood risk by 83 percent in annual property damages, provides increased security for 486 critical infrastructure sites, including 23 essential to life-safety. The significant benefits and need for this flood control project are why is received one of the best benefit-to-cost ratios in the country at 7 to 1 (2.5 percent discount rate) by the Army Corps of Engineers. To date, the project has received nearly \$150 million in federal funding. However, after 8 straight fiscal years of funding, the project was zeroed out in both the FY25 and FY 26 federal budgets. While we’ve been told this is due to the availability of unspent carry-over funding from prior years, my understanding is that without \$75 million or more in federal funding in both FY27 and FY28, a number of currently scheduled design and construction activities will not be able to advance. Zero or inadequate federal funding for this project in FY27 will stall these planned design and construction activities and result in severely compromising the project’s completion schedule (FY 2037). Do you agree with me that the Lower San Joaquin River Project is a good investment for the federal government and needs to be robustly funded in the Administration’s FY27 Budget Request in order for the project to remain on schedule?

Response: This project will be considered for funding along with other worthwhile programs, projects, and activities across the Nation.

- a. As you are now developing the USACE’s FY27 budget proposal, can you commit to me that you will work to include the needed funding for this project in the Administration’s FY27 Budget Request in order to keep it on schedule?

Response: This project will be considered for funding along with other programs, projects and activities across the nation that are competing for the available Federal resources.

Senator CAPITO. Thank you, General. Appreciate it.

I will kick us off to the first question for Secretary Telle. Many provisions provided in prior WRDAs have gone largely unimplemented. Section 1102 of WRDA 2024 requires that your office develop and submit a plan to Congress on the implementation of not just WRDA 2024, but prior WRDAs. This plan must identify provisions that will require implementation guidance or appropriations.

My first question is, when can we expect the list of WRDA 2024 provisions to be finalized?

Mr. TELLE. Senator Capito, thank you for the question, Chairman Capito.

My office and I know General Graham's under his leadership with the Corps of Engineers takes very seriously the work of this committee. I am committed to following the provisions in WRDA, following the law. This committee has expressed frustration over the speed of implementation of the laws that you have enacted. As you point out, Chairman Capito, we owe you a plan about how to get that done.

Each of these provisions is different. I believe the number in the WRDA 2024 was approximately 180-plus provisions that we were working to implement. Some of them are straightforward and easy to implement. Some of them require implementation guidance, as you point out. We have made determinations about which are straightforward enough to implement and which require implementation guidance.

I will just say that it would be helpful to work with you to identify provisions that we can address without triggering a large inter-agency process. If we can get the information to you that you need to do your job, we will be happy to work with you on doing that.

Senator CAPITO. I am asking if you have a date of when you would put your plan forward with all this implementation. My understanding is in 2024, we required you to submit to us a plan, correct?

Mr. TELLE. Yes, ma'am, that is correct.

Senator CAPITO. Do you have a date when you will have that to us?

Mr. TELLE. Senator, I do not have, I am not prepared to give you a specific date today. All I can tell you is that—

Senator CAPITO. Is that because it is 180 provisions and some that are more complicated than others? Or is it because—why is that?

Mr. TELLE. Senator, at the heart of it is that the Article II branch of government is led by a chief executive. Many of the provisions included in WRDA 2024 implicate agencies and equities across the government.

In order to speak with one executive branch voice and give you an answer that is correct, it necessarily involves coordination with a myriad of agencies that complicates our ability to get you the information you need so that we can speak with one executive branch voice. Given that that provision implicates a number of provisions that implicate other agencies, it is complex for us to deliver to you something that you can count on that is right.

I am committed to doing that.

Senator CAPITO. Well, that is important, I think, obviously, for us to have it included in that WRDA 2024, that plan is important to us.

General Graham, on the cost overrun issues, this is just a consistently huge issue. We included several provisions intended to provide the Corps with more time and resources to better study possible solutions, the needs that might be in the front end, and you sort of mentioned this. Our intent was for the agency to then spend less time reworking project plans after they have been authorized for construction.

However, we do not want these provisions to be interpreted as directives from Congress to the Corps to go back to the days when the agency spent years or decades studying a single project.

What additional steps are being taken to address these costs overruns? You addressed this a little bit in your opening statement, but if you could get a deeper dive on that.

General GRAHAM. Chairman Capito, thank you for that question. Every time we do not deliver a project on schedule, I get an email from the district engineer who explains what happened. Then we have some very pointed discussions on what was the root cause. The vast majority of the root causes are, we did not know enough, as I spoke to in my opening statement, about the project before we asked you to authorize it.

Probably a good way to visualize that is, a lot of those authorizations were kind of at the conceptual 10 percent level. They were not at the 35 percent. Basically, hey, we authorized a house, not a four-bedroom house with a gas heater and three bedrooms. That is what is tripping us up.

Digging down into the details a little bit more, the main thing we missed is the field investigations. We did not get all the survey data that we needed. We did not know, this is a water resource business we are in, so those elevations, those are kind of critical.

Same thing goes with, well, what property is associated with those surveys? What does the soil look like that we are going to build upon? Kind of fundamental stuff. We did not know nearly enough of it.

We are working with Secretary Telle to come up with a common-sense reason or rationale for moving this forward.

Senator CAPITO. My time is running out here, but I would ask, do you envision, then, going back on pending projects and redoing this? Or is this from going forward, this is the way you are going to do it on new projects?

General GRAHAM. Certainly going forward. Projects that have been authorized but we have not built those yet, the designs on those are still sitting probably around the 10 percent level. It would be helpful to be able to open those up, take a look at those, and then, when Congress and the administration are looking to fund those projects, I can give you a realistic cost estimate.

Senator CAPITO. Okay. All right.

Senator Whitehouse?

Senator WHITEHOUSE. Thank you very much, Chairman. Gentlemen, thank you both for being here.

My coastal risk management concern is exemplified in the President's Fiscal Year 2026 budget, which has \$1.56 billion for the

Corps construction account with only \$2 million recommended for coastal storm risk management. I have talked about a 20 to 1 ratio, I have talked about a 100 to 1 ratio, this is an 80 to 1 ratio.

If you drill down on that one, on the \$2 million, you find that it actually will not even fund a single project. It is for employee compensation claims to the Department of Labor.

That to me nets out to zero coastal storm risk management projects in the Fiscal Year 2026 budget. What are we going to do about this?

Mr. TELLE. Senator Whitehouse, you and I have discussed this previously on several occasions. It is something that I have looked into in my six and a half weeks here on the job. You and I should compare numbers. The numbers I have for Fiscal Year 2026 President's budget are different than yours. I just want to make sure we are speaking from the same facts.

What I will say about the overall ratio that you just—go ahead.

Senator WHITEHOUSE. Give me the name of the person on your team my team should talk to to go through the numbers before we have this conversation.

Mr. TELLE. Absolutely. Your team works very closely with Stacey Brown.

Senator WHITEHOUSE. Stacey Brown it is. Go ahead.

Mr. TELLE. Senator Whitehouse, one of the things that I wanted to point out to you in looking through these numbers is that the vast majority of construction and investigation funding goes toward rehabilitating our dams. These are dams that were built over the decades that protect American cities from flood risk. They hold water back from flooding those cities. A large portion of the President's budget request is related to maintaining and rehabilitating those dams that are of a critical safety level.

When you look at the new projects that are not dam-related, and investigations and construction, the ratio that you are discussing is more like 1.7 to 1, inland to coastal. I just want to point out that when we are taking action to rehabilitate infrastructure that is in desperate need of it based on the safety implications, the President's budget has prioritized those activities, and it does skew the numbers.

I want to make sure that you understand those are not new dams, those are dams that are in our inventory and have been for, in many cases, decades.

Senator WHITEHOUSE. Yes. Were it not for this discrepancy, there would probably be a lot of coastal projects that would have been in your inventory for decades. Because they were overlooked, they are not in your inventory for decades. It is a continuing problem, and I look forward to working with you to find a sensible solution.

Mr. TELLE. Thank you, Senator.

Senator WHITEHOUSE. You have indicated that you are pausing work on feasibility studies for non-structural solutions. That is Army Corps speak for what, non-structural?

Mr. TELLE. Senator, thank you for asking the question. I think in the case that you are discussing, non-structural refers to an activity that does not, is not in keeping with the Corps' long tradition of building infrastructure that protects entire communities, but rather goes home by home and in many cases—

Senator WHITEHOUSE. Rehabilitating homes would be an example of that?

Mr. TELLE. Correct. I would say at scale is a key part of this conversation. Because we are not talking about a project where we provide some piece of flood control infrastructure and then for the few homes that are still in harm's way, we elevate them. We are talking about going into entire regions and using the United States Army Corps of Engineers to go and home by home elevate.

I think, as I discussed with you yesterday, I think based on the initial results of some of this work at scale, we need to have a conversation about whether this is how you would like for the United States Army Corps of Engineers to dedicate its efforts.

Senator WHITEHOUSE. Well, first of all, let me say that I am eager for that discussion. I think there are other interests that could be brought to bear having to do with the National Flood Insurance Program. There is a lot of messy work that has not been done about protecting our coasts and it is not clear that you coming in and doing all of it is the best solution.

Neither is it the best solution to have you just walk away. I have the example here of Louisiana's large-scale non-structural project of \$600 million to raise 3,462 homes across a 4,700 square mile study area, which is a pretty big project and \$600 million is pretty serious money, even for the Army Corps.

If you put that next to the Ike Dike in Texas, the budget for that is closing on \$60 billion. It is 100 times more expensive to do the Ike Dike project. You could do 100 of those Louisiana projects. I think in that context it is important that we come to a sensible commonsense solution and not one that just says, okay, non-structural is all done here.

Mr. TELLE. Senator, I agree with you. I want to make very clear, General Graham's team's directive to take a harder look at the non-structural program has not slowed work on the two pilot projects in Louisiana and New York, the one that you referenced.

However, I would just say that the early results that I have been made aware of that program would cause the cost to escalate far beyond the \$600 million amount that you referenced. Quite frankly, I believe if we did not take a second look at this, we would be being called before this committee for waste, you know, inefficiently using taxpayer dollars.

I think your willingness to work with us to get this, we do not want to walk away from non-structural solutions and will always analyze them as alternatives. The question is whether the United States Army Corps of Engineers is the appropriate entity to implement them.

Senator WHITEHOUSE. I think I can safely say that both the Chair and I would like to work with you to get to a sensible solution that is not no more non-structural. Thank you.

Senator CAPITO. Thanks.

Senator Cramer?

Senator CRAMER. Thank you, Madam Chairman. Thank you to our witnesses, to both of you.

Let me start out, Mr. Assistant Secretary, by thanking you. In WRDA 2024, we passed the bill, or the law that required, required, required the Army to form the Western Water Cooperation Com-

mittee. Added two-plus years of stalling. Oh, by the way, it was due in 90 days after we passed it, or after it was implemented.

You stepped in and it got done. I appreciate that. Because that is part of what we are talking about. Many of these things we are talking about do not require, with all due respect, a brand new elevation report. The land has been the same for a long, long time. Just forming a committee, thank you for doing that. It means a lot to me that you stepped up and did that.

On the topic we discussed a little bit, generally speaking, the administration has embraced doing more with less, being more efficient with the people's money. Not just throwing personnel and dollars after every challenge, as though somehow that is going to magically fix things. It is a breath of fresh air. I am fully supportive of it.

In the past, especially with the Corps, something we have heard a lot is, we just do not have enough staff to do things. We give them a whole bunch more staff, and so that means more lawyers get to read the same thing over and over, more engineers get to look at the same thing over and over, and stall longer with regard to the law.

I think the smarter approach is streamlining things and eliminating unneeded regulations and ultimately reducing the workload, not just the work force, but your workload.

Specifically, Mr. Secretary, with regard to the Corps, do you believe that pre-COVID staffing levels are adequate to deliver a lot of the things you are hearing about today and the task in front of you?

Mr. TELLE. Senator Cramer, thank you for the question. Thank you for working with us on the Western Water Committee.

I agree with you that a larger bureaucracy does not necessarily mean better results for the American taxpayer. As you intelligently point out, the staffing levels within the United States Army Corps of Engineers mirror the staffing levels of the United States Army Corps of Engineers prior to the pandemic.

I believe that with modern technology, with better forms of cooperation with our non-Federal sponsors, I think about the project in Fargo, in your State, I think we can deliver more to the American taxpayers with a staff that looks a whole lot like the staff prior to the pandemic.

Thank you for addressing that. I think that answered your question.

Senator CRAMER. Thank you for addressing it.

Like I said, let's reduce the workload along with the work force, because it seems to me there is a lot of redundancy. In fact, I mean, just listening to the discussion a little bit ago, well, throughout the morning, I find it frustrating that years go by, I mean, with regard to just one example in North Dakota, noxious weeds. WRDA 2020, over 5 years ago I passed a law that requires a report on how to deal with noxious weeds.

I hear over and over from landowners that border Corps land, it is over 3 years late, the report. In other words, they are never going to do it. I am sure it is in some well-intentioned bureaucrat's pile.

The law did not say, get around to it when you can. What I was going to say about the nuance of things, when in doubt, obey the law. It is not—you know, I do not call my wife if I get picked up for speeding to see what I should do about it. I slow down. You know, our laws are not arbitrary, they are not open-ended, they are just, do your best.

A report on noxious weeds, and noxious weeds is a good example. I am glad you brought up technology. Because the farmers that farm the land right next to Corps land know exactly how to do it. You could just have a cup of coffee with the guy next door and they would tell you exactly how to get rid of the noxious weeds in a safe manner, because guess what? The farmers make a living off that land. They are not even just doing it because the government told them they should. They are doing it because they have to feed a hungry world and they know how to do it.

Let's default to yes and that is what I appreciate about you, Mr. Secretary. You default to what is possible, how do we do the possible. Okay, that is the law. How creative can we get within the law to get to yes? The default of the Corps for decades has been no, we can not do that, even though the law says you have to do that.

Maybe I will just, General, if you want to speak a minute or two about the noxious weed issue. I do not know how familiar you are with it. Really, it is now over 3 years late, that report. Why is that?

General GRAHAM. Senator Cramer, I believe that report, as you kind of alluded to, is still under administration review.

We absolutely want to be great neighbors with our partners up there and leverage every bit of local knowledge that we have, with the farmers out there, with the tribes out there, so that we can steward this land for the American people to the best of our ability.

Senator CRAMER. Okay, good. Let's just give more of it back to the tribes and the farmers and they can steward it really, really well.

Senator CAPITO. Senator Merkley?

Senator MERKLEY. Thank you, Madam Chair. Thank you both for your partnership on so many important infrastructure questions or challenges in the west.

In Coos Bay, the stakeholders are working to establish the first ship-to-rail container port on the U.S. west coast. You all have been serving as the point for the permitting process for the channel modification and for coordinating with other Federal agencies in upgrading the terminal and modernizing the railroad line.

This is an incredible opportunity to add to our ability to move freight in a cost-effective fashion. It keeps trucks off the road and enables us in a growing, interdependent world to get products to market, supply chains to be effective.

I appreciate that very much, and I appreciate your operation and efforts on the hatcheries. When the dams were built, there was a promise made that these dams will be accompanied by efforts to make sure the fish runs continue. Those kind of go close to our heart and our soul in the west. Incredibly important. Of course, the dredging projects that involve various ports.

Three questions that I am going to get to here, a minute apiece. It will be kind of rapid fire.

First, it has been 3 years since I met with the Corps down at the Cole Rivers Hatchery. It became very clear that the biggest challenge there was the supply of clean water, and basically the answer was, we need a pipeline that goes further up the river to bring in cleaner water, we need a better filtration system.

This hatchery supplies not only to the fish runs on the Rogue, but also on the Umpqua, also a whole series of lakes in terms of trout. Incredibly important.

In those 3 years, we have gotten an electric line and six roofs. To me, that is a 1-year project. Meanwhile, we are nowhere close to getting the water supply, which is the critical, essential heart of the hatchery challenge, because they have had a number of losses of different groups of fish as a result of contaminated water.

How can we expedite the completion of the renovation of this essential hatchery?

Mr. TELLE. Senator Merkley, thank you for the question, and understanding the rapid fire request, I would just say, we agree with you completely on the need to increase our U.S. port capacity for competitiveness in the 21st century.

With regard to the fish hatchery questions that you raised, I will defer to General Graham on the details of the progress there. I would just say that in my review of this issue it is clear that there are a number of equities implicated, including hydropower and other interests in your State.

I would defer to General Graham on the complicated nature of this challenge.

General GRAHAM. Senator Merkley, thank you for that question. We understand the challenges at Cole River. The design for that water treatment improvements that you spoke to is at 85 percent as I checked yesterday. The additional substation electrical work, the funding is on hand to do that for a 2026 award.

When I talked to the Portland District about all of the fish hatcheries that we own that others run, they are all of, if I had to give them a letter grade, they are all about a C minus, D plus. The direction I gave the division command up there is, we need to come up with a long-term capital reinvestment strategy in those hatcheries.

Senator MERKLEY. Thank you, and I will just keep pressing, because this was the deal on the dams, that the hatcheries would be a very effective complementary component. Watching them deteriorate and in many places be unable to fulfill the responsibilities that they have is extremely disturbing. It is not just an environmental issue, it is an economic issue for our commercial fisheries, for our sports fisheries, but just for our whole connection to the ecosystem in the west.

I will keep pressing, and thank you. I just do not think it should take years to do new roofs and electrical cable. It should not take forever to design, redesign, and the 85 percent you referred to, the design work just seems to go on forever. It is like one can always visit and revisit and revisit, is this the best design?

At some point you say, listen, this is a plan that enough people have looked at, let's build the dam pipeline to get the water there, let's put in the state-of-the-art filtration system and do it, and start

spending the money on implementation rather than one more design contract. That is my energy about this, my passion about this.

There is a report that was required in WRDA 2022 on a deauthorization of hydropower in the Willamette Valley System. The Portland District and Northwest Division have completed the report, but it is sitting somewhere and it kind of echoes of my colleague across the aisle, where is that report sitting? Is it sitting in OMB? Is it sitting at Army Corps headquarters?

It is very frustrating to see these reports completed and just nobody ever takes action to say, yes, we will actually issue it.

Mr. TELLE. Senator Merkley, I will take that one. It is important when we get you information that it speak for the entirety of the executive branch of government.

With that said, I am committed, and that may take longer than any of us would hope, but I am committed to following the law and getting you the report that you referenced as quickly as we possibly can in coordination with our interagency partners.

Senator MERKLEY. Is it on headquarters' desk, or is it on the [inaudible] desk?

Mr. TELLE. Senator Merkley, I do not know with the particular report that you are referencing where it is within the interagency. It is important that the entire executive branch have the ability to speak and give you the right answer, based on all the information that is needed to gather across the interagency. We have to be better at delivering that.

Senator MERKLEY. You will get me an answer, though?

Mr. TELLE. Yes, sir.

Senator MERKLEY. Thank you. I am over time. Just one sentence, if the Chair will bear with me. You do not have to respond. I will followup.

WRDA 2020 established provisions for a 15 percent set-aside of the Harbor Maintenance Trust Fund for emerging ports, of which we have 14 on the Oregon coast. That guidance that was required from 2020 has never been released. Let's get it released. Let's get that 15 percent doing the job that Congress said it was supposed to be doing.

Thanks.

Senator CAPITO. Thank you.

Before I call on Senator Ricketts, I want to announce that we are going to do our business meeting that was previously recessed, we will reconvene at 11:45 in the President's room off of the Senate floor.

With that, I will go to Senator Ricketts.

Senator RICKETTS. Great. Thank you, Chairman Capito, and thank you, Ranking Member Whitehouse, for holding this important oversight committee meeting for the Army Corps of Engineers.

Secretary Telle, great to see you again. Congratulations on your confirmation. Glad you are here on the job.

General, glad to have you here as well. Look forward to working with you.

I am really pleased to be on this committee, because the Army Corps serves an important function in my State. When I was Governor in 2019, Nebraska and the Midwest experienced a devastating flood that had many of our rivers, but the Missouri River

in particular. Four people lost their lives, farmers lost \$400 million in corn and soybeans, ranchers lost \$400 million in livestock.

Federal authorities estimate the damage to Nebraska alone was \$2.6 billion. I worked closely with the Corps to push for action. Together with the Governors of Iowa, Kansas, and Missouri, I partnered with the Corps to launch a planning assistance to States study, which we actually helped finance. This effort brought the Corps, Governors and local stakeholders together to make better informed flood plain management decisions.

At that time, the relationship with the Corps was rocky. Too often, Nebraska's concerns were met with only explanations of why something could not be done, a refrain we heard here earlier, and were not getting done quickly, or not at all. At times, I saw the Corps as more of an obstacle than a partner, and one that failed to put people first in its decisionmaking.

Today is a new opportunity, though, with Secretary Telle and General Graham leading the change. Yet more than 6 years later, many issues remain. The \$3 million, 3-year planning assistance study has now taken more than 5 years and it has cost more than \$10 million. This is again a similar refrain from what we have heard from other people, projects taking longer and costing more.

Still, it has not changed how the Corps has conducted business. The study has yet to be finalized, but it is not clear there is going to be any concrete, actual steps in this plan for improvement.

Another part of the challenge lies in the 2018 master manual, which governs the Corps' work on the Missouri River. The roots of the problem go back to 2004, when amendments to the 1979 manual reversed the Corps' historical flood control water management practices.

That shift fundamentally scrambled the Corp's priorities for basin management. The amendment made environmental compliance equally as important as protection of human life and property through flood mitigation. The Corps must refocus its management of the river on the agency's core values which is water management for the benefit of those who rely on it for commerce and protecting people.

Secretary Telle, do you believe the 2018 master manual puts environmental compliance on the same level as protecting human life?

Mr. TELLE. Senator, I would defer to General Graham on questions about the manual and the specifics.

I will agree with your broader point. It is one that we have heard many times already in this hearing, which is these projects cost too much and take too longer.

I would just, I am proud to report to you that under President Trump's leadership, the executive branch agencies that govern the issues that you raise are working to follow the law, the letter of the law, not beyond what Congress intended with the law. There have been a number of actions taken with NEPA, with the definition of Waters of the United States, as rendered by the Sackett decision, as well as—

Senator RICKETTS. I have a limited amount of time, so I appreciate that.

General, are you familiar with the 2018 master manual?

General GRAHAM. Yes, Senator.

Senator RICKETTS. Do you believe that it puts environmental concerns on the same level as protecting human life?

General GRAHAM. No. We always put life, health, and safety first of the eight authorized purposes for the Missouri River.

Senator RICKETTS. Okay, great. Will you commit that you will continue to do that?

General GRAHAM. Absolutely.

Senator RICKETTS. Great, because that is what we need to have happening. Because that has not been happening in the past.

Can you tell me why the planning assistance study is taking more than 3 years and triple the cost to get done?

General GRAHAM. I can not specifically speak to that, but oftentimes those planning assistance to States are to provide a broad overview, and to understand what is going on in those drainage basins. Then from there, they can take that information at the State, local, or even at the Federal level and tear that off into additional studies.

We will confirm with your staff what exactly else they needed to find out.

Senator RICKETTS. Great. Will you commit to getting us that report in a timely manner?

General GRAHAM. Absolutely.

Senator RICKETTS. Great. Thank you.

I want to, I have just a few seconds left, but since Senator Merkley went over, I am going to beg the Chair for a little indulgence.

Senator CAPITO. It is all yours.

Senator RICKETTS. Thank you.

Really quickly here, critical industries along the Missouri River must be able to have predictable flows on the Missouri River. Recently, the Corps' Northwest Division announced that Gavins Point releases would be set at a minimum of 12,000 cubic feet per second from December 1st through February 2026, December 1st of this year through February 2026.

In 2023, when the river levels dropped low, two power station facilities in Salix, Iowa, were unable to generate power during an extremely cold stretch of time when we had very frigid temperatures.

Secretary Telle, will you commit to prioritizing energy reliability when setting release levels at Gavins Point so we can avoid disruptions to power generation over the next couple of years?

Mr. TELLE. Senator, absolutely. The Missouri River is one of the more complex rivers within the portfolio. We have to balance all interests and all purposes, including flood risk mitigation and navigation, and as you point out, energy product.

Senator RICKETTS. Great, thanks.

General, what factors are considered in determining whether updates to the Missouri River mainstream reservoir system master water control manual are warranted?

General GRAHAM. Senator, specifically, we will get back to your staff on what would trigger that. Broadly, it is large changes that we believe have happened in the watershed.

Senator RICKETTS. Great. We will followup with you both. Thank you very much. Appreciate your time. Thank you, Madam Chair, for giving me some time.

Senator CAPITO. Thank you.

Senator Padilla?

Senator PADILLA. Thank you, Madam Chair, and thank you for the flexibility in our 5 minutes in advance.

[Laughter.]

Senator CAPITO. I must be in a really good mood today. I do not know.

[Laughter.]

Senator PADILLA. I want to begin by coming back to an item that General, you spoke to in your opening comments, that of the proposed new 35 percent design standard required for feasibility study approval. I understand the rationale behind the effort, but I do worry, and I think you share the concern, that larger projects will get stuck in a Catch-22, where they can not move forward without significant more resources up front while the Army Corps budget does not actually provide those necessary resources.

I am worried that this could lead to a situation where the Army Corps simply stops doing any more big projects, and there is a number truly needed across the Country, projects that are critical to protecting life and property of our constituents.

We just celebrated the 20th anniversary, for lack of a better term, of Hurricane Katrina, the devastation to the people in Louisiana. I imagine a new standard like this would have delayed the project to restore the communities out there for years and years and years. That was a \$14 billion levee repair.

General Graham, for feasibility studies that lead to larger water resource projects costing more than \$500 million, will the current annual budget for the investigations account support the level of design spending without causing multi-year delays? Or what is your ideal proposal on how to address that dynamic?

General GRAHAM. Senator Padilla, thank you for that question. Whenever your Senator gig kind of finishes up, we are hiring. We are always looking for some MIT mechanical engineers to join the team.

Senator PADILLA. There you go.

General GRAHAM. Sir, you know well that the path to delivering quality projects on schedule within budget is to think through them carefully during this design phase. Line up the funding, and then build them rapidly with a team of expert builders. That is just what we have not been doing.

We do need to figure out with the investigations budget and the workload we have on very complex studies how that would break out so that we can deliver those studies efficiently for these large things. The Corps had been criticized in the past, many decades ago, for, we were not looking system-wide, we were looking at small projects scattered around.

Wisely, we were given direction from Congress and support from the administration to start looking at larger systems. We have done that. Coastal Texas is a great example. Same thing with projects up in New York City.

With that, we have to figure out a way to both break those down into manageable, implementable pieces that we can advance the engineering far enough that we know what it is we are proposing to build. Those also have to be budgetable. Fifty-two billion dollars on a billion and a half construction budget, that is probably going to be infeasible.

We have to square both those circumstances.

Senator PADILLA. I understand. I have a little bit of a close "in" to California, by the way, not just Louisiana and New York.

You referenced in your opening remarks some nuances that are important to recognize. Would you consider any exceptions to the 35 percent design standard requirement for large projects? There are future projects and there are projects that are sort of underway right now.

Is there any grandfathering considered before this new standard is imposed?

General GRAHAM. Secretary Telle's guidance to us is, make sure you are applying common sense as we are going through that analysis. Senator, that is our commitment to you, is that we are going to apply common sense as we go through this. The goal being to deliver these projects as efficiently and effectively to protect your citizens and to make sure that our navigation, and just particularly, like the Port of Long Beach, that amazing economic engine continues to run well.

Senator PADILLA. Right, because there are ripple effects.

All right, thank you for that. Definitely will be doing some followup with you.

Secretary Telle, I wanted to, before I ask you about the harbor maintenance tax conversation we had previously, I just want to express my condolences on the loss of your father recently. I appreciate your willingness to be here and continue the work during a difficult time. Please convey that with your family as well.

Now, as you and I spoke during your confirmation process, the Ports of Los Angeles and Long Beach are the busiest container port complex in the western hemisphere. I appreciated the commitment you made at the time, not just to me but to the committee, to uphold the donor and energy port funding as directed by WRDAs of 2020 and 2022.

However, since your confirmation hearing and before you were sworn in, the administration released its Fiscal Year 2025 work plan for the U.S. Army Corps as well as the budget proposal for Fiscal Year 2026. Neither document reflects the increased funding targets for donor and energy ports that Congress directed.

To put it mildly, that is troubling. Can you assure me and this committee that the WRDA 2020 set-aside of 12 percent of harbor maintenance trust fund obligations for donor and energy ports will be honored?

Mr. TELLE. Senator Padilla, thank you for the question. We will follow the law. The Fiscal Year 2025 work plan and the Fiscal Year 2026 President's budget include \$58 million in keeping with that set-aside and in keeping with the appropriations acts that have been enacted by Congress. They govern those fiscal years.

Senator PADILLA. For my constituents watching from home, is that a yes or a no?

Mr. TELLE. I am just telling you that the Fiscal Year 2025 work plan and the Fiscal Year 2026 President's budget both include \$58 million, which is consistent with the appropriations acts enacted by Congress.

Senator PADILLA. By my simple math, that does not add up to the 12 percent that we had previously discussed.

Mr. TELLE. Senator, your math is correct.

Senator PADILLA. That Congress had directed.

Mr. TELLE. Your math is correct, Senator. That is the level set by the appropriations acts for those fiscal years.

Senator PADILLA. It is not living up to the requirement. I understand the position that you are in, but we obviously have some work to do.

Mr. TELLE. Senator, we follow the laws that are proposed by this committee and the Appropriations Committee.

Senator PADILLA. All right. The Chairwoman has been more than generous with me. I will do some followup questions for the record on the Pajaro Flood Protection Project and other important issues for my State.

Thank you both very much.

Senator CAPITO. Thank you.

Senator Sullivan?

Senator SULLIVAN. Thank you, Madam Chair, and Mr. Secretary, thank you for being here, and General, thank you for being here.

You both have a really, really critical job, I think one of the most important jobs in government. I think you are doing a great job and I am going to get to that on some of the things you have been doing in Alaska.

I do want to remind you of the context. You have seen this chart before. This was the 70 executive orders that the Biden administration issued singularly, exclusively focused on Alaska, what we called the last frontier lockup. You look, they have the actual list of them, the seven zero right there. Those are executive orders and executive actions. No State got sanctioned more by their own Federal Government than we did in Alaska by the Biden administration.

I like to do this in public a lot because those days are over, right? We have a new EO. That was the Alaska lockup. This is the Alaska comeback and you are very familiar with this executive order. This is day one. The Trump administration issued an executive order called Unleashing Alaska's Extraordinary Resource Potential.

We are the only State in the Country that has our own EO. It was issued on the day of the President's inauguration. The Corps of Engineers, as you know, Secretary Telle, is highlighted in that EO in a really big way.

The part on the Assistant Secretary of the Army for Civil Works, now I am reading the EO, shall immediately review, revise, rescind any agency action that may in any way hinder, slow, or otherwise delay any critical project in Alaska. During your confirmation hearing, do you remember what you said to me about that executive order and that paragraph in particular?

Mr. TELLE. Senator Sullivan, I indicated to you that I had tattooed that paragraph of that executive order on my heart.

Senator SULLIVAN. Yes. You tattooed that on your heart. I have to admit that was one of the best answers I have heard in a confirmation hearing in a long time. You are doing that. I very much appreciate that.

Let me compliment you on the really important work that you did when we had another glacial lake outburst flood in Juneau, Alaska. Actually this was the worst, but it was not as bad because the Corps of Engineers had acted quickly at my request this past spring on getting those Hesco barriers to help prevent flooding.

You also surged Brigadier General Goetz to Alaska for a whole week, and his team. They gave Juneau a lot of comfort. We have a lot of work to do.

Can I get your commitment, and General, your commitment that we are not just going to study this. The people of Juneau are having flooding every summer. By the way, last summer and this summer, it is amazing nobody has gotten killed. We need to get on this soon.

Can I get your commitment and any other updates you want to give me on that?

I appreciate you surging a high-level team for a week in Alaska to be in Juneau when this happened again. We need a Corps of Engineers solution to this. I appreciate your focus on it.

Mr. TELLE. Senator Sullivan, thank you for emphasizing the importance of this challenge. Your leadership helped guide our decisionmaking. I have committed to you—let me also say I am just so proud of the United States Army Corps of Engineers, General Goetz, his team, the Alaska District, for the work that they did in real time to save lives and property in Juneau, Alaska, in mid-August.

I have committed to you and General Graham has committed to me that we are going to be focused on a long, medium, and short term solution to address this challenge. The short-term solution is what you saw in August, and you are going to see it again as long as we need it while we are developing the medium and long-term solutions. I will let General Graham comment on the progress on the medium and longer term solutions.

General GRAHAM. Senator Sullivan, this is what we are built for. Being able to take a complex situation and work with our State and local partners to put a project in place rapidly. As you saw with General Goetz up there, that is what we are committed to.

I know there is a smaller outburst happening kind of as we speak. They are working again with the city on, I think they held off on repairing some of the existing Hesco barriers until this finishes. The technical report that we will look at laid the foundation for a long-term fix. We expect that next spring, and we will watch that closely as that work unfolds.

That work that we are doing is going to be with all the partners who across the government at all levels has the ability to add to the solution. That is our commitment to you.

Senator SULLIVAN. Great. I appreciate that. I know the people of Juneau really appreciate that. It is so important.

Madam Chair, do I have—

Senator CAPITO. Let me ask you a question. Have you voted on this—

Senator SULLIVAN. I am going to vote right after this one.

Senator CAPITO. Okay.

Senator SULLIVAN. Very quickly, just two more quick questions.

Relating to this EO, I met with the company that is working on a really exciting project in Alaska. It is called Graphite One outside of Nome. They are concerned that even though they were put on the docket, it is a graphite mine, one of the largest mine deposits in the world, in Alaska, that they were put on a Fast 41 as an EA and we are hearing that the Alaska District is maybe putting them on as an EIS.

Can you gentlemen take a look at that? That seems to go against the Trump executive order and maybe even more importantly Sackett v. EPA, the recent Supreme Court case.

Mr. TELLE. Senator, absolutely. This is something we take very seriously and I will just report to you that we have guidance in place now to implement Sackett on a temporary basis while we wait for a permanent rule to implement that Supreme Court decision.

I will also tell you that through nationwide permits which this committee has afforded the United States Army Corps of Engineers, regional permits, and good old-fashioned elbow grease, President Trump has delivered more than, or close to 800 permits for energy-related and resource-related activities, including approximately 10 percent of those in the State of Alaska in the first 9 months of his administration.

Senator SULLIVAN. Thank you.

Final question, very quick. Port of Nome. I always put this chart up as well. Lot of action in Alaska. We have Russian and Chinese incursions into our airspace, Russian and Chinese incursions into our waters. Four incursions just in August. The Port of Nome is going to be critical for Alaska economic activity, but also for infrastructure for national security assets.

The Corps awarded a nearly \$400 million contract for phase one of the Port of Nome expansion. This is a crucial step to establishing our infrastructure in the Arctic for our economy but also for our national security.

Can I get your commitment, gentlemen, to continue on beyond phase one, which is a huge phase? We are building the Port of Nome. We have been trying to get this done for 15 to 20 years. We are building it, thanks to your leadership; \$400 million contract awarded on phase one.

To continue that as a key issue for the Corps going forward, even beyond phase one, General, Mr. Secretary, can I get your commitment on that?

General GRAHAM. Senator, you absolutely have our commitment. We are also looking for more sources of rock up in Alaska that can bring the construction costs down. You absolutely have our commitment to the Port of Nome.

Senator SULLIVAN. Great.

Mr. Secretary?

Mr. TELLE. Senator, of course.

Senator SULLIVAN. Thank you. Thank you, Madam Chair.

Senator CAPITO. Senator Alsobrooks?

Senator ALSOBROOKS. Thank you so much to Madam Chair Capito and also Ranking Member Whitehouse for calling today's hearing.

I would like to also say thank you so much to our witnesses for joining us.

Mr. Secretary, in particular, I want to thank you for visiting Poplar Island in Maryland, and seeing the important ecosystem restoration work that the Army Corps is doing in Maryland.

As you saw, the Army Corps' mission in Maryland is important and far-reaching, and the Corps is responsible for dredging near the Port of Baltimore, for undertaking large-scale ecosystem projects like Mid Bay and Poplar Island and for beach nourishment to protect our coastal communities. I am really glad that you had the opportunity.

As you know, the Corp manages over 4,300 recreation areas across the Nation, including one on the Maryland-West Virginia border. These recreation areas support local economies and provide opportunities for boating, fishing and hiking. In fact, nearly 212,000 boats are registered in Maryland, and boating remains one of the most popular recreational activities at Corps managed sites nationwide.

The administration's hiring freeze prevented the Corps from hiring seasonal staff who play an essential role in keeping these sites safe, open and well-maintained. Without them, we saw closures, reduced hours, and limited services at recreation areas.

Senator Cramer and I sent a letter urging the Corps to take immediate steps to exempt seasonal workers from the administration's hiring freeze. I was glad to hear that the Secretary of the Army subsequently granted the Corps and exemption to hire up to 320 staff for Corps recreation areas.

Either of you can answer, but I wanted to check in, and maybe, Mr. Secretary, you can start. How many of the 320 authorized seasonal employees was the Corps able to hire?

Mr. TELLE. Senator, thank you for raising this issue. Thank you for suggesting that I go see Poplar Island. It was enlightening, and I appreciate that suggestion.

You are correct that we had a shortage of recreational workers heading into the spring. Thanks to your work and Senator Cramer's work and to the administration's very quick reaction to that, we were granted an exception to policy on hiring. We have been working against that denominator that you referenced approaching 100 employees that have been hired for recreation facilities.

We expect that by next spring that we will be at a point where we will not have any impacts, or minimal impacts, as it relates to the challenge we faced this spring.

Senator ALSOBROOKS. Thank you.

Now, I also would like to know whether you expect the Federal hiring freezes, do you expect it to affect the work such as eco-restoration, and what procedures have you put in place to monitor and assess the impact of work force reductions on other authorized activities of the Civil Works program?

Mr. TELLE. Senator, I am not aware of any impacts on the Corps of Engineers three core missions of flood risk mitigation, navigation and aquatic ecosystem restoration.

Senator ALSBROOKS. Okay. Now, the Atlantic Coast of Maryland Shoreline Protection Project is a longstanding effort to protect Ocean City and nearby areas from coastal storm damage, flooding, and erosion. It is managed by the Army Corps, and the project includes engineered beaches and dune systems spanning nearly seven miles over a 50-year period.

Now, these systems have proven effective and have prevented about \$927 million in storm-related damages since the 1900's, and supporting our tourism economy. This project relies on periodic beach nourishment, with the next cycle originally scheduled for late 2025 to mid-2026. However, the replenishment has been delayed and is now not expected to begin until September 2026.

I wonder whether you can speak to the cause of this delay.

Mr. TELLE. Senator Alsobrooks, thank you for raising this issue.

You mentioned in your opening remarks that quite often, the dredged material that comes from places like the channel that services the Port of Baltimore can be used for beneficial purposes, including beach renourishment, which is really about protecting coastal communities from coastal storm risk.

You are correct: the project in Ocean City that you referenced, as you correctly referenced, has a 4-year replenishment cycle. The last time it was renourished was in 2022. That puts us on schedule for 2026.

I will defer to General Graham about any delays or causes for delay. I am not aware of any.

Senator ALSOBROOKS. Thank you. General, maybe you can just say whether you foresee whether a 1-year delay, what impact might that have on the overall effectiveness of the project.

General GRAHAM. The Coastal Storm Risk Management Project, Senator, that we do many of the beach renourishment projects, we are working with Mother Nature. She is awfully variable. We have this periodic renourishment schedule, but sometimes the beaches erode, sometimes they accrete, as the storms move.

There is a lot of variables that go into that.

Senator ALSBROOKS. All right, thank you.

I yield. Thank you so much, Madam Chair.

Senator CAPITO. Thank you very much.

With no further questions, I would like to thank the witnesses and all of my colleagues for their participation in today's hearing. Senators who wish to submit written questions for the record have until 5 p.m. on Wednesday, October 1st, to do so. The witnesses' responses to these questions are due back to the committee no later than close of business Wednesday, October 15th, and will be submitted to the record.

I am going to run out here because we are on a vote and I do not want to hold us up on the floor. Do not take that as any reflection on gratitude for you all coming. Quickly, I know you have been in the position for a short period of time, but we want to stay close with the Corps and we want to stay close with the projects.

Thank you very much. With that, this hearing is adjourned.

[Whereupon, at 11:26 a.m., the hearing was adjourned.]

