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Water Resources Development Act (WRDA): Army Corps of Engineers Authorization Issues in the 109th Congress

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SUMMARY

Under its civil works program, the Army Corps of Engineers plans, constructs, and operates water resources facilities primarily for flood control, navigation, and environmental purposes. The 109th Congress is expected to consider authorizing Corps planning and construction activities, and to debate changes to Corps policies and practices, through a Water Resources Development Act (WRDA).

Once activities are authorized, the appropriations process plays a significant role in their realization. For more information about Corps appropriations and operational issues, see CRS Issue Brief, *Army Corps of Engineers Civil Works Program: Issues for the 109th Congress*.

Legislative Status. Previous WRDAs have followed a loosely biennial schedule. Although some action was taken on WRDA bills in the 107th and 108th Congresses, no WRDA was enacted; the last enacted WRDA was in 2000. Action on a WRDA bill is expected early in the 109th Congress because pressure to authorize new projects has been building. Authorization of a few controversial projects and possible changes to Corps policies and practices are likely to shape a WRDA in the 109th Congress.

Project Development Reform. Although WRDA bills and other proposed legislation in recent Congresses have contained provisions to change how the Corps formulates and reviews projects, no significant changes have been enacted.

Upper Mississippi River-Illinois Waterway (UMR-IWW). Authorization of UMR-IWW navigation and ecosystem restoration investments is anticipated to be part of a WRDA debate in the 109th Congress. Some environmental and taxpayer advocacy groups oppose the large-scale navigation improvements recommended by the Corps. Navigation and agricultural interests insist that these measures are essential for reducing lock delays and maintaining global competitiveness of U.S. products. Defining the restoration's federal-nonfederal cost share and determining whether to link the funding for the ecosystem restoration with navigation improvements are likely to be among the more contentious aspects of UMR-IWW authorization.

Everglades Restoration. Authorizations for two projects — Indian River Lagoon-South and Picayune Strand — as part of a federal-nonfederal restoration effort for the Florida Everglades also may be part of a WRDA debate. These projects are bringing attention to implementation issues with the larger restoration effort, and some critics question the extent to which completing these two projects will directly contribute to restoring freshwater flows through the central core of the Everglades.

Coastal Louisiana Restoration and Protection. Authorization of investments in coastal Louisiana restoration also may be discussed as part of a WRDA. In early 2005, the Corps' Chief of Engineers recommended $2 billion in proposed activities to restore coastal wetlands in Louisiana over the next decade.

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MOST RECENT DEVELOPMENTS

A WRDA bill is expected to be introduced early in the 109th Congress, because pressure to authorize new projects has been building since the last WRDA was enacted in 2000. The House Transportation and Infrastructure Subcommittee on Water Resources and Environment has indicated the first item on its legislative agenda is a Water Resources Development Act (WRDA) of 2005. On March 16, 2005, the subcommittee held a hearing on projects for inclusion is a prospective WRDA.

Three of the larger projects whose authorization Congress may consider for inclusion in a WRDA have passed the milestone of having a report recommending the project by the Corps' Chief of Engineers (known as a Chief's report). The proposed activities are now being reviewed by the Assistant Secretary of the Army (Civil Works) and the Office of Management and Budget (OMB) for consistency with Administration policy. The three projects are:

- Coastal Louisiana: $2 billion in proposed activities to restore coastal wetlands in Louisiana over the next decade.

- Upper Mississippi River-Illinois Waterway (UMR-IWW): 50-year framework for navigation improvements and ecosystem restoration, with an initial 15-year increment of investments of $1.88 billion for navigation and $1.46 billion for ecosystem restoration.

- Everglades: $1.2 billion Indian River Lagoon-South project for wetlands and estuarine restoration, a part of the larger more than 30-year Florida Everglades restoration effort.

Another Everglades project — Picayune Strand — that may be considered does not have a completed Corps feasibility report, which is the basis for the Chief's report.

BACKGROUND AND ANALYSIS

The Corps is a federal agency in the Department of Defense with military and civilian responsibilities. This report focuses on issues related to the Corps domestic civil works program. At the direction of Congress, the Corps plans, builds, operates, and maintains a wide range of water resources facilities in U.S. states and territories.

Congress generally authorizes Corps water resources studies as part of a typically biennial consideration of a WRDA, or in a survey resolution by an authorizing committee — the House Transportation and Infrastructure Committee or the Senate Environment and Public Works Committee. Authorization to construct projects and changes to the policies guiding the Corps civil works program, such as project cost-share requirements, are also typically in WRDAs. The authorization of Corps projects generally do not expire; however, there is a process to deauthorize projects that have not received appropriations for seven years. Although Congress has historically authorized Corps projects as part of a WRDA, authorizations also have been included in appropriations bills, especially in years when

passage of a WRDA has been delayed. Corps authorizing committees generally discourage as standard procedure authorizations in appropriations bills; authorization in appropriations bills may be subject to a point of order.

Authorization establishes a project's essential character, which is seldom substantially modified during appropriations. The appropriations process, however, plays a significant role in the realization of a project; appropriations determine which studies and projects receive federal funds.[1] Many authorized activities never receive appropriations. Fiscal priorities and public attitudes in recent decades have resulted in declining federal funding for water resources activities, thus increasing competition for funding among authorized activities.[2] Moreover, during the last 15 years, Congress has authorized not only navigation and flood control projects, but also ecosystem restoration, environmental infrastructure assistance, and other nontraditional activities, exacerbating competition for construction funds. The Corps now has a "backlog" of more than 500 authorized projects that have not received construction appropriations consistently.

Authorizations in WRDAs usually fall into one of three general categories: studies, projects, and modifications to existing authorizations. WRDA 1986 (P.L. 99-662) marked the end of a decade-long stalemate between the Congress and the executive branch regarding authorizations. In addition to authorizing numerous projects, WRDA 1986 resolved long-standing disputes related to cost-sharing, user fees, and environmental requirements. A biennial WRDA cycle has loosely been followed since, with WRDAs enacted in 1988 (P.L. 100-676), 1990 (P.L. 101-640), 1992 (P.L. 102-580), 1996 (P.L. 104-303), 1999 (P.L. 106-53), and 2000 (P.L. 106-541). Recent WRDAs have each authorized projects whose potential federal appropriations could reach between $3 billion and $4.3 billion; many of these WRDAs authorized or modified the authorization of more than a hundred projects. Pressure to authorize new projects, increase authorized funding levels, and modify existing projects is often intense, thus promoting a fairly regular (if not always biennial) consideration of WRDA.

Controversial projects and policy changes have complicated (or even derailed) the passage of some WRDAs. For example, some Members of the 107th Congress were interested in including provisions in a proposed WRDA 2002 to change how the Corps evaluates and undertakes projects (i.e., "Corps reform"). Failure to address Corps reform in committee legislation reportedly contributed to the bill not being voted on by the House. After a summary of WRDA's legislative status, this report discusses the role in WRDA debates of Corps reform provisions, UMR-IWW investments, Everglades restoration projects, and coastal Louisiana restoration activities.

Legislative Status. The last WRDA enacted was in 2000. Previous WRDAs had followed loosely a biennial schedule. A WRDA bill is expected to be introduced early in the 109th Congress because pressure to authorize new projects has been building. Authorization

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[1] For more information on the Corps' appropriations, see CRS Report RL32307, *Appropriations for FY2005: Energy and Water Development*, coordinated by Carl Behrens.

[2] For example, the civil works budget has experienced a substantial decline in *real dollar* amounts; the annual funding for the Corps' construction account fell from an average of $4 billion (in 2000 dollars) in the 1960s and 1970s to $1.7 billion recently.

of a few controversial projects and possible changes to Corps policies and practices are likely to shape a WRDA debate in the 109th Congress, as they did in the 108th Congress.

WRDA legislation was acted on, but not enacted, during the 108th Congress. On September 24, 2003, the House passed H.R. 2557 (H.Rept. 108-265) — WRDA 2003. During committee markup, selected Corps reform provisions were added. (See "Project Development Reform," below, for more information.) The Administration did not support the bill, primarily because it viewed the bill as creating false expectations by authorizing appropriations of more than $4 billion, despite fiscal constraints and the Corps backlog of projects. No further action was taken on the bill by the 108th Congress.

The Senate Environment and Public Works Committee reported a WRDA 2004 (S. 2773) on August 25, 2004. The debate over this bill was shaped by conflicting pressures — the Administration's interest in a bill that limited new authorizations, and constituent demand for authorization of Corps projects. S. 2773 included provisions for a few high-profile projects that were not included in H.R. 2557: UMR-IWW navigation improvements and ecosystem restoration, and two Everglades restoration projects. S. 2773 also included some Corps reform provisions. The Administration took no position on this bill.

Some environmental groups opposed S. 2773 because it did not contain provisions to ensure the fiscal and scientific integrity of the Corps civil works program, and it authorized seven new locks on the UMR-IWW. Other interests were dissatisfied with S. 2773 for opposite reasons. They argued that the reform provisions in S. 2773 were too burdensome and would delay Corps projects, and that funding for UMR-IWW ecosystem restoration should not be linked to navigation appropriations.

Project Development Reform. Support for changing the Corps' decision-making process gained momentum in 2000 in the wake of a series of critical articles in the *Washington Post*, whistleblower allegations, and ensuing investigations.[3] Although some Members of the 106th Congress supported Corps reform, other Members, along with agriculture and navigation industries, were satisfied with existing practices. The 106th Congress did not enact changes. Discussions of possible changes to Corps policies and practices are likely to shape the WRDA debates in the 109th Congress, as they did the debates in the 106th, 107th, and 108th Congresses. Although proposals to change the Corps were introduced in the 107th Congress and the108th Congress, neither enacted significant changes.

Although the 106th Congress did not enact Corps reform changes, it asked the National Academy of Sciences to review Corps planning in §216 of WRDA 2000. In April 2004, the Academy's National Research Council (NRC) published four reports from this review. Each report makes recommendations for changes to the Corps and the larger water resources management context. The Corps argues that since 2000 it has implemented efforts to transform itself, primarily by strengthening its planning and internal project review capabilities, and is considering changes to its planning guidance documents.

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[3] For background information on Corps reform, see CRS Report RL30928, *Army Corps of Engineers: Civil Works Reform Issues in the 107th Congress*, by Nicole T. Carter.

After reportedly lengthy negotiations, the House Transportation and Infrastructure Committee added three procedural Corps reform provisions to H.R. 2557 in the 108th Congress. These provisions would have addressed some of the concerns raised by reform supporters: peer review of projects, additional requirements for mitigating projects' damage to fish and wildlife, and project planning criteria that considered both economic and ecosystem restoration benefits.

Like the House WRDA bill, S. 2773 in the 108th Congress contained provisions on peer review, mitigation, and the planning process. The mitigation provision received particular attention; it was amended during committee markup to require acre-for-acre mitigation that fully replaces the hydrologic and ecological functions and characteristics of the affected area. In addition, S. 2773 would have established a River Stewardship Commission; required a Corps fiscal transparency report; established a Water Resources Planning Council to guide the Corps' use of information in its analyses; required a report on the ability of coastal or deepwater ports to meet current and projected needs; and required that some monitoring of ecosystem restoration projects be cost-shared with nonfederal project sponsors. Some of these provisions can be seen as implementing changes similar to those recommended by the National Research Council in its 2004 planning review reports.

Many reform advocates saw the reform provisions in H.R. 2557 as a first step; however, they generally preferred that measures be stronger and that additional reform issues be addressed. Environmental groups criticized the reform measures in S. 2773 for failing to improve the Corps' project planning and implementation. Supporters of the agency's current practices argued there was no need for reforms because the Corps' project development and review process is sufficiently thorough. Because of differing opinions on the need for and purpose of changes to the Corps, some interests may see some measures of the WRDA bills as reform measures, and other interests may see the same measures as counter to their vision of reform.

Upper Mississippi River-Illinois Waterway.[4] The Upper Mississippi River and Illinois Waterway (UMR-IWW) is at the center of a debate over the future of inland navigation, the restoration of rivers used for multiple purposes, and the reliability and completeness of the Corps analyses justifying investments. Consequently, authorization of investments in navigation and ecosystem restoration of the UMR-IWW is likely to play a prominent role in debates over WRDA in the 109th Congress.

The UMR-IWW is a 1,200-mile, 9-foot-deep navigation channel created by 37 lock-and-dam sites and thousands of channel training structures. The UMR-IWW makes commercial navigation possible between Minneapolis and St. Louis on the Mississippi River, and along the Illinois Waterway from Chicago to the Mississippi River. It permits upper midwestern states to benefit from low-cost barge transport. Since the 1980s the system has experienced increasing traffic delays, purportedly reducing competitiveness of U.S. products in some global markets. The river is also losing the habitat diversity that allows it to support an unusually large number of species for a temperate river. This loss is partially attributable

[4] Prepared by Nicole Carter, Analyst in Environmental Policy, and Kyna Powers, Analyst in Energy and Environmental Policy, Resources, Science, and Industry Division.

to changes in the distribution and movement of river water caused by navigation structures and operation of the 9-foot navigation channel.

UMR-IWW Feasibility Study and Report. The Corps' Chief of Engineers approved the agency's completed feasibility report on UMR-IWW improvements in December 2004. The report was the result of a controversial feasibility study process that began in 1993. The final feasibility report states that sufficient analysis has been completed to support an initial investment decision to be implemented using an adaptive approach that minimizes risk by controlling the magnitude of investment decisions.[5] The feasibility report recommends:

- a combined 50-year plan for investments in navigation improvements and ecosystem restoration, and for dual-purpose navigation-restoration river management,
- authorization of an initial set of navigation measures at $1.88 billion, including seven new locks and small-scale measures for use during construction, and
- authorization of a 15-year increment of ecosystem restoration activities at $1.46 billion.

UMR-IWW Navigation Investments. The Corps' feasibility report has not significantly reduced the debate over the urgency, necessity, and national benefit of expanded navigation capacity. One reason that controversy remains is that the Corps' analysis found that if UMR-IWW traffic continues at the fairly constant level of the last 20 years, costs of large-scale measures probably would exceed benefits.[6] The same analysis concluded that if navigation traffic on the system increases (i.e., follows the longer 50-year growth trend), benefits likely will exceed costs.[7] In other words, satisfaction of a fundamental justification for federal involvement — national economic development benefits exceed costs — depends on what the future holds. Some national environmental groups and the group Taxpayers for Common Sense argue that large-scale navigation improvements are not economically justified based on available agricultural and transportation data and trends and the costs of the improvements. Navigation supporters argue that those opposed to proceeding with large-scale investments ignore both the realities and the impacts of increasing delays, and the limitations of small-scale measures. For more information, see CRS Report RL32470, *Upper Mississippi River-Illinois Waterway Navigation Expansion: An Agricultural, Transportation, and Environmental Decision*, coordinated by Randy Schnepf.

Upper Mississippi Ecosystem Restoration Investments. The Corps' ecosystem restoration plan has been less controversial. There is general agreement that the ecosystem is declining and support for the 15-year increment of the Corps' 50-year

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[5] U.S. Army Corps of Engineers, *Final Integrated Feasibility Report and Programmatic Environmental Impact Statement for the UMR-IWW System Navigation Feasibility Study* (Rock Island District, St. Louis District, St. Paul District, April 29, 2004), pp. 230 and 490. Hereafter referred to as UMR-IWW Final Feasibility Report. Available at [http://www2.mvr.usace.army.mil/umr-iwwsns/documents/FINAL_FES_EIS_Report_Cover(2004).pdf], visited on March 21, 2005.

[6] Ibid, p. 458.

[7] Ibid., p. 458.

ecosystem restoration plan. While there is uncertainty over what the 15-year plan's 225 measures will achieve, the National Research Council supports the plan's adaptive management approach to increasing species diversity. See "Additional Reading" for the three NRC reports on the UMR-IWW. Debate over the restoration proposal focuses primarily on implementation strategies. For example, environmental entities tend to support, and navigation entities tend to oppose, dual-purpose management of the river for ecosystem restoration and navigation. Disagreement also centers on the question of how closely investments in navigation should be tied to restoration investments. Navigation and agricultural groups believe that restoration should proceed and be funded separately from navigation. They are concerned that linked funding will delay navigation construction. Environmental organizations fear that if the two are not linked, ecosystem restoration may get authorized but receive minimal appropriations. For more information, see CRS Report RL32630, *Upper Mississippi River System: Proposals to Restore an Inland Waterway's Ecosystem*, by Kyna Powers and Nicole T. Carter.

Everglades Restoration Implementation.[8] In the last two decades, the Corps' environmental protection efforts have changed as the agency increasingly reworks existing projects to provide not only mitigation but also ecosystem restoration. Ecosystem restoration is new for the Corps and remains a relatively young science; these factors contribute to risk and uncertainty as to how to best undertake restoration and what outcomes to anticipate. To date, the Corps' largest involvement in a restoration effort has been in the Florida Everglades, with a three-decade, $7.8 billion restoration program. Congress approved the Corps' implementation of the Comprehensive Everglades Restoration Plan (CERP) as a framework for Everglades restoration in WRDA 2000. For more information on Everglades restoration and implementation issues, see CRS Report RS22048, *South Florida Ecosystem Restoration and the Comprehensive Everglades Restoration Plan*, by Nicole T. Carter and Pervaze A. Sheikh.

The principal objective of CERP is to redirect and store freshwater currently diverted away from the Everglades to the ocean, and use it to restore the natural hydrologic functions of the south Florida ecosystem. An initial set of CERP restoration projects and $700 million in federal funds to implement them were authorized in WRDA 2000. Two more projects under CERP — Indian River Lagoon-South (IRL-S) wetlands and estuarine restoration and the Picayune Strand ecosystem restoration (also known as Southern Golden Gates Estates ecosystem restoration) — are likely to be considered for authorization during the 109th Congress. These projects were included in the 1999 CERP framework,[9] but were not included in the initial authorization of federal funds in WRDA 2000. Because these two projects are the first projects to be developed and need authorization under the congressionally approved CERP, some view their fate as a test case of the CERP framework.

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[8] Prepared by Pervaze A. Sheikh, Analyst in Environmental and Natural Resources Policy, Resources, Science, and Industry Division.

[9] U.S. Army Corps of Engineers, *Central and Southern Florida Project Comprehensive Review Study: Final Integrated Feasibility Report and Programmatic Environmental Impact Statement for the Indian River Lagoon-South* (Jacksonville, FL, April 1999). Hereafter referred to as Corps, *CERP Plan*. Available at:
[http://www.evergladesplan.org/pub/restudy_eis.cfm#mainreport], visited on March 21, 2005.

Indian River Lagoon. The Corps recommends that Congress authorize a $1.2 billion (50% federal) plan to restore the IRL-S wetlands and estuary.[10] The Indian River Lagoon is a 156-mile long estuary, located at the mouth of the St. Lucie River in eastern Florida. The IRL-S has been altered by unnaturally large and poorly timed freshwater discharges arriving from the St. Lucie Canal and other elements of the Central and Southern Florida project. These discharges have altered water quality, and may have contributed to depleted water supplies in the Everglades ecosystem. The significance of these ecosystem problems is exacerbated by the high biodiversity found in the IRL-S.[11]

The recommended plan is to divert some of the current flow to planned storage reservoirs as well as to disperse water throughout the IRL-S ecosystem. Four artificial reservoirs would store excess freshwater for agricultural uses in the area. Natural storage areas would be restored by acquiring nearly 93,000 acres of land. These storage areas would also improve native habitat (which is a goal of the larger Everglades restoration plan) and reduce phosphorus and nitrogen loads into the IRL-S. Further, the plan calls for removing an estimated 7.7 million cubic yards of "muck" and disposing it elsewhere. The recommended project has evolved since the activities proposed in the 1999 CERP plan; in that document, the estimated cost for the activities that now make up the recommended IRL-S project was less than $1 billion and consisted primarily of artificial storage reservoirs.[12]

Some supporters of the Indian River Lagoon restoration project argue that the project will improve the seabed floor and revive bottom-dwelling communities.[13] In the IRL-S Final PIR, the Corps states that IRL-S restoration will result in clean water transferred to Lake Okeechobee, thus improving the quality of water that moves through the ecosystem from the lake.[14] Others, however, suggest that even though the project will help the estuarine ecosystem, it will not completely attenuate freshwater flows from Lake Okeechobee, a problem that may have to be dealt with separately. Further, some believe that IRL-S restoration is localized and will have little impact on the Greater Everglades ecosystem. Another concern that has been raised is the increase in project cost.

Picayune Strand Restoration. The Picayune Strand restoration project (also known as the Southern Golden Gates Estates project) is expected to cost $363 million, of which the federal share would be $181 million. The nonfederal sponsor (the state of Florida)

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[10] U.S. Army Corps of Engineers, *Final Integrated Project Implementation Report and Environmental Impact Statement for the Indian River Lagoon-South* (Jacksonville, FL, March 2004). Hereafter known as Corps, *IRL-S Final PIR*. Available at [http://www.evergladesplan.org/pm/studies/irl_south_pir.cfm], visited on March 21, 2005.

[11] Corps, *IRL-S Final PIR*.

[12] Corps, *CERP Plan.*

[13] For example, testimony of Eric Draper, Director of Policy, Audubon of Florida, before the U.S. Senate, Committee on Environment and Public Works, *U.S. Army Corps of Engineers and Water Resource Programs*, Hearing, 108th Cong., 2nd Sess., June 18, 2002 (Washington, DC: U.S. GPO).

[14] Corps, *IRL-S Final PIR.*

has already spent nearly $100 million of its share on land acquisition; most of the remaining project expenses are for design and construction of the project.[15]

The Picayune Strand project encompasses 86 square miles (approximately 55,000 acres) in Collier County, FL, and includes several federal and state lands, such as the Florida Panther National Wildlife Refuge, 10,000 Islands National Wildlife Refuge, and others. Residential development in the region has altered the landscape. Some alterations include a lower watertable, which has diminished cypress-dominated wetlands and has led to colonization by invasive species.[16] Other ecosystem alterations are degraded water quality and an increase in the severity and frequency of wildfires. The Corps prepared a final Project Implementation Report and Environmental Impact Statement (PIR/EIS) for Picayune Strand and solicited comments through December 19, 2004. After responding to comments and finalizing the report, the next step for the Corps would be for the final report to be approved by the Chief of Engineers. The proposal is to remove roads, canals, and other infrastructure, and is expected to increase freshwater flows to natural areas, lower freshwater surges to the ocean, and improve water quality.[17]

Some are concerned that unwilling sellers may delay or stall Picayune Strand restoration activities that depend on land acquisition. Recently, a landowner in the Picayune Strand region reportedly has resisted offers from the state of Florida for a 160-acre parcel reportedly important for restoration. Eminent domain proceedings are expected by the state, a precedent set in earlier land dealings in the Picayune Strand and other Everglades restoration projects.[18] Indeed, nearly 98% of the land needed for restoring Picayune Strand is in public ownership and over 1,800 parcels (representing almost 1,500 landowners) have been acquired through eminent domain.[19] The accessibility of the Picayune Strand for recreation is another controversial issue for local residents. Some are concerned over the loss of recreational opportunities; the state has responded that it will provide areas for off-road vehicles and other recreational activities.

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[15] U.S. Army Corps of Engineers, *Southern Golden Gate Estates Hydraulic Restoration Project, Picayune Stand Restoration* (Washington, DC: June 2004), at [http://www.evergladesplan.org/docs/fs_sgge_061504_english.pdf], visited on March 21, 2005.

[16] U.S. Army Corps of Engineers, *Picayune Stand Restoration Final Integrated Project Implementation Report and Environmental Impact Statement* (Washington, DC: Sept. 2004), at [http://www.evergladesplan.org/pm/projects/docs_30_sgge_pir_final.cfm#pir], visited on March 21, 2005.

[17] Ibid.

[18] For more information, see CRS Report RS21331, *Everglades Restoration: Modified Water Deliveries Project*, by Pervaze A. Sheikh.

[19] Florida Dept. of Environmental Protection, *Statement by Florida Department of Environmental Protection Secretary Colleen M. Castille Regarding the Restoration of America's Everglades* (Tallahassee, FL: May 24, 2004); available at [http://www.dep.state.fl.us/secretary/news/2004/may/0525_hardy.htm], visited on March 21, 2005.

Coastal Louisiana Restoration and Protection.[20] Coastal wetlands in Louisiana have been disappearing at a high rate, and those losses are forecast to continue if no actions are taken to reverse current trends. Federal agencies, led by the Corps and in coordination with the state, developed a plan to slow the rate of loss and restore some of these wetlands. An initial draft of this plan, completed early in 2004, had several options that could have cost as much as $14 billion over 30 years. It was rejected by the Bush Administration as being too expensive.

The Corps then prepared a revised feasibility report, which it released for public review and comment. The final version of this proposed plan, released in late January 2005, is for $2 billion in activities to restore coastal wetlands in Louisiana over the next decade. This report has been approved by the Chief of Engineers; it now undergoes a review by the Assistant Secretary of the Army (Civil Works) and OMB. This set of proposals includes activities that would divert water from the Mississippi River to convey sediments into nearby wetlands and that would help stabilize the coastline. In the diversions, wetlands would gradually reestablish themselves on newly deposited sediments. The Corps has stated that construction could be started on every project within 10 years. The Bush Administration has reportedly endorsed this less expensive effort, in which the federal government would pay almost 64% of the total estimated cost, according to news reports. For more information on the status of wetlands in coastal Louisiana and the evolution of the restoration plans, see CRS Report RL32673*, Coastal Louisiana: Attempting to Restore an Ecosystem*, by Jeffrey Zinn.

LEGISLATION

108th Congress

H.R. 2557 (Young)
Water Resources Development Act of 2003. Passed House September 24, 2003; no further action was taken.

S. 2554 (Inhofe)
Water Resources Development Act of 2004. Ordered reported by the Senate Committee on Environment and Public Works on June 23, 2004. Instead on August 25, 2004, the committee reported a new bill — S. 2773 — which has been placed on the Senate calender; no further action was taken.

S. 2773 (Inhofe)
Water Resources Development Act of 2004. Original measure reported to Senate, and placed on Senate calendar on August 25, 2004; no further action was taken.

[20] Prepared by Jeff Zinn, Specialist in Natural Resources Policy, Resources, Science, and Industry Division.

109th Congress

S. 402 (Nelson)

Restoring the Everglades, an American Legacy Act of 2005. Authorizes the Corps to construct the Indian River Lagoon-South and the Picayune Strand ecosystem restoration projects. S. 402 was introduced February 16, 2005, and referred to Senate Committee on Environment and Public Works.

FOR ADDITIONAL READING

Background

CRS Report RS20866, *The Civil Works Program of the Army Corps of Engineers: A Primer*, by Nicole T. Carter and Betsy A. Cody.

CRS Report RL32064, *Army Corps of Engineers Water Resources Activities: Authorization and Appropriations*, by Nicole T. Carter and H. Steven Hughes.

CRS Issue Brief IB10120, *Army Corps of Engineers Civil Works Program: Issues for the 109th Congress*, by Nicole T. Carter and Pervaze A. Sheikh.

Authorizations and WRDA

Congressional Budget Office, *Cost Estimate, H.R. 2557, Water Resources Development Act of 2003, as ordered reported by the House Committee on Transportation and Infrastructure on July 23, 2003.*

Executive Office of the President, Office of Management and Budget, *Statement of Administrative Policy on H.R. 2557* (made on Sept. 24, 2003), available at [http://www.whitehouse.gov/omb/legislative/sap/index-date.html], visited on January 24, 2005.

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Upper Mississippi River-Illinois Waterway

CRS Report RL32470, *Upper Mississippi River-Illinois Waterway Navigation Expansion: An Agricultural Transportation and Environmental Context*, Coordinated by Randy Schnepf.

CRS Report RL32630, *Upper Mississippi River System: Proposals to Restore an Inland Waterway's Ecosystem*, by Kyna Powers and Nicole T. Carter.

National Research Council, *Inland Navigation System Planning: The Upper Mississippi River-Illinois Waterway* (Washington, DC: National Academy Press, 2001).

——*Review of the U.S. Army Corps of Engineers Upper Mississippi-Illinois Waterway Restructured Study: Interim Report* (2003).

——*Review of the U.S. Army Corps of Engineers Restructured Upper Mississippi River-Illinois Waterway Feasibility Study: Second Report* (2004).

Everglades Restoration

CRS Report RS20702, *South Florida Ecosystem Restoration and the Comprehensive Everglades Restoration Plan*, by Nicole T. Carter and Pervaze A. Sheikh.

CRS Report RS22048, *South Florida Ecosystem Restoration and the Comprehensive Everglades Restoration Plan*, by Nicole T. Carter and Pervaze A. Sheikh.

CRS Report RL32131, *Phosphorus Mitigation in the Everglades*, by Pervaze Sheikh and Barbara Johnson.

Coastal Louisiana

CRS Report RL32673, *Coastal Louisiana: Attempting to Restore an Ecosystem*, by Jeffrey Zinn.