

Congress of the United States
Washington, DC 20510

February 6, 2018

The Honorable R.D. James
Assistant Secretary of the Army (Civil Works)
108 Army Pentagon
Washington, D.C. 20310-0108

Lieutenant General Todd T. Semonite
Commanding General and Chief of Engineers
U.S. Army Corps of Engineers
441 G Street N.W.
Washington, D.C. 20314-1000

Dear Secretary James and General Semonite,

In 2008, Cedar Rapids, Iowa experienced a record-breaking, devastating flood event that caused approximately \$5.4 billion in damages. To protect against future flood events, the city developed an extensive flood mitigation project, to which the State of Iowa and the city have committed approximately \$400 million in funding. The private sector has also dedicated a large amount of its own resources to this project. To supplement these significant state, local, and private contributions, the 2014 Water Resources Reform and Development Act authorized approximately \$73 million in federal funding for the project. In 2016, Cedar Rapids faced its second highest flooding event where approximately \$6 million in emergency funding will have been spent on protection and recovery. This project was also listed in the 2016 water resources bill as one of nine projects to be expedited by the Corps.

To date, no Corps construction funds have been budgeted for the project due to its low benefit-to-cost ratio (BCR) of 1.2. The community has been able to rebuild its downtown area and improve flood protection infrastructure using state and local dollars and federal disaster funds, but assistance from the Corps remains vital to completing the project and protecting against another catastrophic flood event.

Each year, millions of dollars are spent to implement emergency temporary protection measures and billions of dollars are spent to pay for emergency recovery efforts after each disaster. It would be a wiser course of action to build a permanent flood reduction structure once and spend millions, instead of spending billions over time in temporary emergency measures.

This issue is of major importance to the City of Cedar Rapids and the State of Iowa. The delegation has had numerous discussions with the Corps and the Office of Management and Budget over the years where we have expressed how vital it is for this project to receive funding. In recent testimony before the Senate Committee on Environment and Public Works, you both acknowledged the importance of the project and that the current BCR metrics put rural states and their cities—like Cedar Rapids—at a severe disadvantage.

As you are aware, the Corps has the discretion to fund projects with low BCRs if construction of the project would address a “significant risk to human safety.” In the past several years, projects with BCRs below 3 have received funding through annual appropriations because of this discretion. To our knowledge, in FY 2017, the Corps funded five low BCR projects using this exception: (1) American River Watershed (Folsom Dam Modifications), CA – 2.2 BCR; (2) Santa Ana River Mainstem, CA –


2.1 BCR; (3) American River Watershed (Folsom Dam Raise), CA – 1.8 BCR; (4) Yuba River Basin, CA – 1.7 BCR; and (5) Raritan River Basin, NJ – 1.3 BCR.

As representatives of a rural, Midwestern state, we are troubled that all five of these projects are located in coastal states. We would like to know how the Corps determines which projects receive human safety exceptions. Please answer the following:

- Are there specific metrics the Corps uses to make this determination or is this a subjective, case-by-case process?
- What information is considered in making these determinations?
- Does the Corps consider the repeated costs of personal, local, city, state, and federal recovery efforts when determining human safety exceptions?
- Do human safety exceptions consider that flooding in communities often has a disproportionate impact on lower income individuals and neighborhoods that are least able to protect themselves from the loss of economic productivity and private property, which often causes long-lasting social disruption?
- Can you provide documentation of the data, stakeholder input, studies, etc. that were used to make the decisions to apply human safety exceptions to the five projects listed above?
- Who is involved in the decision-making process for human safety exceptions? Who makes the final determination whether to apply the exception?
- What low BCR projects are currently being considered for human safety exceptions? Is the Cedar Rapids project one of them?

Thank you for your time and attention to this issue. We appreciate your willingness to work with us in finding a solution to this important funding matter.

Sincerely,



Joni K. Ernst
United States Senator



Chuck Grassley
United States Senator



Rod Blum
Member of Congress