



200 Hazelwood Drive
Sheridan, AR 72150

July 15, 2004

Senator Blanche Lincoln
355 Dirksen Senate Office Building
Washington D. C. 20510

Re: Please Oppose the Water Resources Development Act of 2004 (S. 2554)

Dear Senator:

On behalf of the Arkansas Chapter of the American Fisheries Society, we urge you to oppose S. 2554, the Water Resources Development Act of 2004, in its current form. This bill fails to include reforms to ensure that U.S. Army Corps of Engineers (Corps) projects are economically and environmentally sound, authorizes more than \$13 billion in new spending for Corps projects without accelerating the process by which projects are deauthorized, and needlessly authorizes construction of the nation's most expensive and least justified waterway project. We urge support for amendments to repair these shortcomings, but if these improvements are not made, we ask you to oppose this bill.

The need for comprehensive reform could not be clearer. Since 1999, four panels of the National Academy of Sciences, numerous U.S. General Accounting Office reports, and the Department of the Army Inspector General have all concluded that Corps studies frequently exaggerate project benefits and/or underestimate project costs, including environmental costs. The National Academy of Sciences, the Army Inspector General, and the U.S. Commission on Ocean Policy have each called for comprehensive reforms to the agency's project planning and implementation processes. Unfortunately, the policy provisions of S. 2554 fall short of ensuring that Corps projects are based on sound economic and environmental analyses.

In particular:

(i) Independent Review: The independent review provision would exclude from review older, destructive, economically questionable projects even where those projects are being reevaluated by the Corps. The independent review provision also lacks meaningful public involvement, fails to ensure adequate independence of review panels, and contains no measure of accountability should the Corps choose to ignore the findings of a review panel without cause.

(ii) Planning Guidance: While the bill does include a provision requiring full mitigation for project impacts on the environment, S.2554 does not direct the Corps to make environmental protection an explicit co-equal goal of project planning, despite strong recommendations to do so by two National Academy of Sciences panels. The bill instead further cements outdated directives to base project decisions solely on economic considerations. S.2144 also fails to require updating of the Principles and Guidelines, which form the basis of the Corps' project planning decisions.

(iii) Fiscal Responsibility: The bill fails to address numerous other elements of the bipartisan Corps of Engineers Modernization and Improvement Act, S. 2188. For example, S. 2554 contains no provision to improve the process for deauthorizing old, outdated and unconstructed projects, and no provision to retire wasteful, unproductive inland waterways such as the Apalachicola River project.

As disturbingly, instead of addressing these issues, S. 2554 rewards miscalculations, mistakes, and improper practices by the Corps. The bill authorizes for immediate construction seven new locks on the Mississippi and Illinois rivers, even though river traffic has been flat for more than two decades and less expensive congestion management tools are available. In 2001, the Department of the Army Inspector General concluded that the Corps cooked the books in an attempt to justify this project. Since then, two National Academy of Sciences panels have concluded that Corps studies continue to grossly exaggerate the benefits of longer locks, and continue to use discredited models in evaluating the economic viability of this project. What's more, this \$1.7 billion project - which would be the nation's most costly waterway project - would divert 10 percent or more of all Corps construction funding for decades, depriving other worthy port, waterway, restoration and flood damage reduction projects of scarce funds.

We hope these failings can be rectified, and urge you to support amendments that will correct the significant flaws in S. 2554. If the needed improvements are not made, however, we urge you to oppose S. 2554, the Water Resources Development Act of 2004.

Sincerely,

Chris Davidson,
President, Arkansas Chapter
American Fisheries Society