



# NATIONAL WATERSHED COALITION

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## National Watershed Coalition 2023 Farm Bill Priorities

### Additional Funds for PL-566

Increasing the mandatory funding level in the Farm Bill to \$100 million/year will create predictability and stability to ensure valuable projects can flow from planning to implementation and meet the changing pressures placed on our watersheds and rural agriculture producers. The Watershed and Flood Prevention Program's broad statutory authority provides a key and flexible tool for an array of water and climate issues facing agriculture and rural communities. It is one of the only conservation programs that operates on a watershed level and can help protect rural communities from flooding, drought, and other extreme weather events. While the program has traditionally focused on structures such as small earthen dams, the program has flexibility to do more for water use efficiency, water quality, and the health of all natural resources at the watershed scale. The program largely survives on discretionary program funding but did receive \$50 million in annual funding through the 2018 Farm Bill.

### Broader Support and Flexibility for Aging Watershed Infrastructure

The 2023 Farm Bill should provide flexibility and clarity of authority for use of program funds to repair and replace essential structural components. Many of the program constructed dams now require significant repairs that go well beyond routine Operation and Maintenance required of the local project sponsors but fall short of the threshold for full rehabilitation. More than 2,276 of these dams were designed and constructed with corrugated metal pipe components (CMP) for their principal spillway achieving an initial cost savings in the overall project construction. For many, the CMP has deteriorated over time and this most critical structural component needs replacement. Over one-half, 1,293, of these CMP structures in 22 states have exceeded their 50-year design life having a substantially operational embankment with a failed or failing primary outlet for the impounded flood water. This adjustment in authority preserves the previous investment in infrastructure and flood protection by providing federal funding for design and construction for repairs of these structures thereby extending their performance life. Failure to repair and remediate common component and material deterioration on these dams could result in loss of life, loss of the investment in infrastructure and most certainly a loss of benefits to the nation.

### Increase the Federal Cost Share for Rehabilitation

NWC recommends raising the federal cost share for rehabilitation to 90 percent as these structure are often high hazard. With few exceptions, these flood prevention structures were fully funded by federal appropriations. Local sponsors have assumed the responsibility for inspection, operation, and maintenance of these structures with limited access to funding to provide the required 35% cost-share to complete the cradle-to-grave planning, design and construction necessary for rehabilitation. The potentially catastrophic outcome of this cost-share requirement barrier is that many project sponsors will not initiate rehabilitation of aged, high hazard, high priority projects. Increasing the federal cost-share will alleviate this significant financial burden placed on local project sponsors.

## Reduce or Eliminate Regulatory, Policy and Procedural Barriers to Timely Program Delivery

Explore appropriate changes to the authorizing language that would reduce the regulatory and administrative overhead that creates years in the project implementation timeline. The program authorities of the watershed program provide for the planning and implementation of flood protection and water conservation projects at a smaller scale benefitting agriculture production and rural communities. The project scale is significantly smaller than the much larger public works of the USACE or DOI's BOR. This program is accomplished in partnership with local units of government, termed project sponsors. Yet, compliance with the OMB's Project Planning Principles and Guidelines, benefits thresholds, other federal Agency permitting requirements, and complicated procedures impair or negate project implementation and consume limited sponsor staff and financial resources. Providing a system of checks and balances commensurate with the scale of the projects will serve out rural communities and the Nation well.

## Provide for Granting Authority to State Agencies for Project Planning and Implementation

Several states have or can develop the capacity to deliver this program effectively with oversight of NRCS, but not control of project decision making. Statutory clarity to provide authority and requisite funding to capable state agencies could streamline and promote efficient delivery of the program.

## Provide for Oversight and Accountability Mechanisms for Program Funds

Through various appropriation acts, Congress has provided significant and increasing levels of funding for the Small Watershed and Rehabilitation program. Our Coalition and the associated member agencies, appreciate this significant support of Congress. We desire to work with Congress to include systems of accountability for the administration and project sponsors sufficient to ensure and support program integrity through the accountability for allocations, expenditures, and timeliness of delivered projects.