



**TEAM: FLOOD PROTECTION**

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**SUBJECT: WATER RESOURCES DEVELOPMENT ACT OF 2026**

**APPENDIX**

There are several WRDA provisions under consideration aimed to enhance USACE efficiency, streamline project delivery, and reduce flood risk to the Capital Region.

**Expanding Alternative Project Delivery for Feasibility Studies**

Section 203 of the Water Resources Development Act (WRDA) of 1986, allows for the non-federal interest (e.g., state agencies, tribes, local governments, and non-profits) to undertake feasibility studies for water resources development projects independently of USACE. Once completed, these studies are submitted directly to the Assistant Secretary of the Army for Civil Works (ASA(CW)), who has 180 days to evaluate the study and make a recommendation to Congress regarding project authorization and the opportunity to cost-share towards construction. Amendments to this legislation are requested to allow the Secretary to:

§ Waive the non-federal study cost-share reimbursement or credit level above \$5 million and,

§ Include the non-federal sponsor's costs of securing U.S. Army Corps of Engineer (USACE) technical assistance as reimbursable costs.

**Expanding Alternative Project Delivery for Design and Construction of Authorized Projects.**

Section 204 of WRDA 1992, and 1043(b) of WRRDA 2014, as amended, authorize alternative project delivery mechanisms that enable non-federal interest to undertake design or construction of an authorized water resource projects traditionally implemented by USACE. Section 1043b is a pilot program created to help reduce the



backlog of approved projects by non-federal interests to implement them more efficiently. Amendments to Section 204 are requested:

§ To allow the Secretary to adjust or escalate total project construction costs when the non-federal entities undertake work under Sections 204 and 1043(b) and,

§ To include a new Section under Section 204 that includes advancing federal funding to non-federal interests to carry out construction of a project, reflects the beneficial provisions included under the Section 1043(b) WRRDA 2014 pilot program.

### **Streamlining Real Estate Approvals and Crediting**

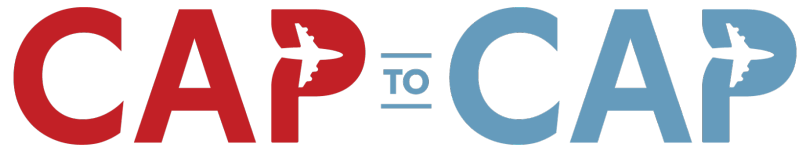
Real estate acquisition and approval processes are a critical component of USACE project delivery. However, current policies governing real estate often create significant delays in project execution, increasing administrative burdens and ultimately increasing project costs. The following legislative requests identify targeted improvements to streamline real estate approvals and crediting.

§ Amend Section 1104 of WRDA 2024 related to Non-Standard Estates, to update non-standard estate guidance to expand list of standard real property interests, delegate approval authority to the District Commander, and complete review of non-standard estates to 180 days

§ Amend Section 103 of WRDA 1986 to include a subsection for Real Estate Crediting and Appraisals, that extends the validity period of approved appraisals beyond one year, streamlines validity appraisals updates, issue guidance to ensure consistent and timely crediting decisions within 120 days, and delegate review and approval of real estate crediting to the District or Division Commander.

### **Reauthorization of the National Dam Safety Program**

The National Dam Safety Program expires in September 2026. The National Dam Safety Program provides resources to states to support inspection and monitoring activities, staffing needs, and emergency planning through State Assistance Grants. USACE has



developed and is responsible for maintain the National Inventory of Dams which is the central repository for information about dams in the United States and its territories that meet specific criteria.

### **Reauthorization of the National Levee Safety Program**

To ensure that USACE can continue to develop and provide needed assistance to states, the Capital Region supports the inclusion of a 5-year reauthorization into WRDA 2026. USACE has made significant progress developing a national regulatory and support framework to improve the safety of the nation’s levees. The National Levee Safety Program’s legislative authority is set to expire at the end FY 2028.

The National Levee Safety Program was first authorized in 2014 and last reauthorized in WRDA 2022, for the purposes of supporting the standing up of state levee safety programs, creating a comprehensive database of the nation’s levees, developing guidelines for levee safety best practices, and supporting repair and rehabilitation of the nation’s levees.

In 2024, USACE produced the first National Levee Safety Guidelines, providing a consistent yet flexible set of best practices for levee management, reducing flood impact, utilizing nature-based solutions to improve levee safety, and addressing the needs of underserved communities living behind levees. Additionally, USACE has made significant progress developing its National Levee Database, providing more detailed data on USACE’s levee portfolio, as well as dams owned and operated at the state and local level.