

Opening Remarks from Chairman Hal Rogers
House Appropriations Committee
Subcommittee on Energy and Water Development, and Related Agencies
Hearing on US Army Corps of Engineers FY 2012 Budget Requests

Witnesses: Jo Ellen Darcy, Assistant Secretary of the Army for Civil Works; General
Robert Van Antwerp, Chief of Engineers
March 9, 2011 – 2:00 pm

Thank you, Chairman Frelinghuysen, for yielding. Assistant Secretary Darcy, Lieutenant General Van Antwerp, thank you for being with us today.

This is a truly historic time, and I don't have to tell you that our nation has found itself at a crossroads. Over the last two years, we have increased discretionary spending by 24%. We are borrowing 40 cents on the dollar. It's time to get serious about reducing spending and putting a dent in our record-setting deficit. We've got some tough choices ahead of us, and I look forward to hearing from you today about the Administration's priorities.

While I am pleased that your budget contains \$132 million for ongoing repairs to Wolf Creek Dam in my congressional district, I have to state my dismay at continued delays and cost overruns that have been a perennial challenge where this project is concerned. The resultant drawdown at Lake Cumberland has wrought havoc on the economies of surrounding counties. Corps decisions have virtually shuttered some marina operations and jeopardized the livelihoods of their employees throughout the region, not to mention ancillary tourism-related businesses, like the houseboat manufacturing industry, that have taken a serious toll during this period of construction and uncertainty.

I'd need two more hands to count the number of times Corps officials have committed to raising that lake back to historic levels, and yet, five years later, here we are – behind schedule and over-budget. I'm extremely interested in hearing your take and hoping for your commitment to getting this important dam safety project back on track.

I also look forward to obtaining your thoughts on the Corps' regulatory responsibilities under Section 404 of the Clean Water Act. Your budget request includes a \$6 million increase for this purpose, but I have to ask myself whether this will truly make a difference. For months, dozens of mining permits have been held up in the so-called "Enhanced Coordination Process" with the EPA. Since 2009, in my

congressional district, the Corps has issued *two* Individual Permits. Two years, two permits. What is so “enhanced” about this process? These delays are costing my people their jobs.

Under the law, the Corps is the lead agency for issuing 404 permits. You all have been in this business for decades. Why, now, have you capitulated to the politically-driven regulatory agenda of an out-of-control EPA? The common perception in my region is that the Corps is simply being steamrolled, and I, along with Congresswoman Capito introduced legislation yesterday that would limit the EPA to a 60-day review period of your permit recommendations. I’m anxious to hear your thoughts on whether such a change to Section 404(c) would expedite the permit review process and eliminate this backlog that’s threatening jobs in Kentucky and across Appalachia.

With that, I yield back. Thank you.