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May 6, 2020

The Honorable Pete DeFazio
Chairman
House Transportation & Infrastructure
Committee
2251 Rayburn House Office Building
Washington, DC 20515

The Honorable Grace Napolitano
Chairwoman
House Water Resources & Environment
Subcommittee
2251 Rayburn House Office Building
Washington, DC 20515

The Honorable Sam Graves
Ranking Member
House Transportation & Infrastructure
Committee
2164 Rayburn House Office Building
Washington, DC 20515

The Honorable Bruce Westerman
Ranking Member
House Water Resources & Environment
Subcommittee
2164 Rayburn House Office Building
Washington, DC 20515

Dear Chairman DeFazio, Chairwoman Napolitano, Ranking Member Graves and Subcommittee Ranking Member Westerman:

First, I want to thank you for your hard work and dedication towards delivering another Water Resources Development Act (WRDA). Our water infrastructure is a critical component of our nation's infrastructure system that cannot be overlooked.

The people I represent are on the front lines of flood fighting every single day. By the time the Mississippi River passes through southern Missouri, it contains 90% of the water it will eventually drain into the Gulf of Mexico. Our folks that live and work along the river are responsible for managing and maintaining infrastructure that not only protects their communities and homes from that water, but ensures that the Mississippi River and Tributary System (MR&T) as a whole continues to provide flood control for millions while allowing for goods moving down the river to meet their final destination.

Our levee and drainage districts work around the clock to meet the challenges of flooding head on. But as you know, aging infrastructure is putting our whole system at risk. Last year southern Missouri experienced the longest high-water event on record. 156 days at flood stage (on the Cairo, IL gage). That's longer than the Great Flood of 1927. Prolonged high-water events mean pressure on the MR&T system for extended periods of time. Pumping stations are particularly strained during these events. By keeping water on the right side of the levee during flooding, pumping stations prevent erosion. If they fail and the levees breach, the whole system fails. They are a critical component of the MR&T system, but some of them are nearly 100 years old.

This outdated infrastructure is costly and inefficient. Last year a levee district in southeast Missouri spent over half a million dollars on fuel to keep its pumps going. Local partners need technical and financial assistance from the Army Corps of Engineers to recapitalize this infrastructure. Pumps and motors need to be at current industry and environmental efficiency standards if they are to continue to serve their purpose. Yet because of agreements reached when the pumping stations were first built, right now the Army Corps does not assist with updating this critical infrastructure. It would take a breach in the levee before the Army Corps gets involved at which point lives are threatened and the cost to taxpayers is in the millions. We need a better solution.

For WRDA 2020, I am asking the Transportation and Infrastructure Committee to work with me to provide a solution for our levee and drainage districts. To help bring eligible pump stations into the 21st century through cost sharing agreements with the Army Corps that will ensure continued flood control and navigation on the Mississippi River for years to come.

With that in mind, I request the committee include the follow language in its WRDA bill:

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PUMP STATION.—The term “eligible pump station” means a pump station—

(A) that—

(i) that has been constructed, in whole or in part, by the Corps of Engineers for flood risk management purposes; or

(ii) that has been constructed by non Federal interests; and

(B) the failure of which would impair the function of a flood risk management project constructed by the Corps of Engineers.

(2) REHABILITATE.—

(A) IN GENERAL.—The term “rehabilitate”, with respect to an eligible pump station, means to address a major deficiency of the eligible pump station caused by long-term degradation of the foundation, construction materials, or engineering systems or components of the eligible pump station.

(B) INCLUSIONS.—The term “rehabilitate”, with respect to an eligible pump station, includes—

(i) the incorporation into the eligible pump station of—

(I) current design standards;

(II) efficiency improvements; and

(III) associated drainage; and

(ii) increasing the capacity of the eligible pump station, subject to the condition that the increase shall—

(I) significantly decrease the risk of loss of life and property damage; or

(II) decrease total lifecycle rehabilitation costs for the eligible pump station.

(b) AUTHORIZATION.—The Secretary may carry out rehabilitation of an eligible pump station, if the Secretary determines that the rehabilitation is feasible.

(c) COST SHARING.—

(1) FEDERAL PROJECTS.—The non-Federal share of the cost of rehabilitation carried out pursuant to this section at an eligible pump station constructed by the Corps of Engineers shall

be the equal to the non-Federal share that was applicable to construction of the eligible pump station.

(2) NON-FEDERAL PROJECTS.—A non-Federal interest shall provide—

(A) an amount equal to 35 percent of the cost of any rehabilitation carried out pursuant to this section for a locally constructed eligible pump station; and

(B) all land, easements, rights-of-way, and necessary relocations associated with the rehabilitation described in subparagraph (A), at no cost to the Federal Government.

(d) AGREEMENT REQUIRED.—The rehabilitation of an eligible pump station pursuant to this section shall be initiated only after a non-Federal interest has entered into a binding agreement with the Secretary—

(1) to pay the non-Federal share of the costs of rehabilitation under subsection (c); and

(2) to pay 100 percent of the operation and maintenance costs of the rehabilitated eligible pump station, in accordance with regulations promulgated by the Secretary.

(e) TREATMENT.—The rehabilitation of an eligible pump station pursuant to this section shall not be considered to be a separable element of the associated flood risk management project constructed by the Corps of Engineers.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$75,000,000, to remain available until expended.

Our inland waterways are a great resource to our country, but they cannot be neglected. The MR&T system works because it manages the river as a whole. If the infrastructure is at risk on one part of the system, the whole system is at risk. I thank the committee for undertaking this important legislation and I look forward to working with you on this critical issue.

Thank you,



JASON SMITH
Member of Congress