

## **AMENDMENT 815: TO STOP FEDERAL SUBSIDIES FOR ONGOING BEACH RENOURISHMENT FROM BEING EXTENDED TO 65 YEARS.**

Beach nourishment is the practice of adding sand to a beach to maintain a sandy shoreline. Under current law, the cost share for beach nourishment projects is 65 percent federal and 35 percent non-federal for the initial nourishment, and 50 percent federal and 50 percent non-federal for ongoing renourishment over the next 50 years.

Section 2030 would allow non-federal entities to request the Corps of Engineers extend this 50-year period of federal assistance for up to another 15 years for their beach project. This opens the door for the federal government to be involved in renourishment projects for up to 65 years. This contradicts the recommendations of the Clinton Administration, Bush Administration, and President Obama's Fiscal Commission, all of which have called for scaling back federal involvement in the these projects.

This amendment would strike the 15-year extension.

At a time when Medicare and Social Security will soon be unable to fully pay benefits, critical needs throughout the country are going underfunded, and the national debt continues to rise \$32,000 a second, the last thing Washington should be doing is expanding assistance for questionable beach projects and exposing itself to costly future obligations.

## **The 15-year extension appears to be aimed at benefitting a few communities**

Based on the initial construction dates reported by the Corps of Engineers, it appears at least eight beach nourishment projects will reach the end of the 50-year period of federal assistance in the next ten years. Four of them end in 2014 or 2015, including one in Carolina Beach, NC.<sup>1</sup>

Communities approaching the end of the federal assistance period have known for 50 years that they would no longer be eligible for federal funding for periodic renourishment. Local leaders and stakeholders have had plenty of time to plan and make the appropriate budget decisions to take over maintenance of their beaches. Federal taxpayers should not continue to be on the hook for maintaining these beaches.

Many communities are capable of maintaining their beaches without federal aid. According to news reports, Carolina Beach has made “worst-case” plans to pay for beach restoration locally if federal support does not come through.<sup>2</sup>

The American Shore and Beach Preservation Association (ASBPA) has argued that continuing authorization is necessary, stating, “Since many of the expiring authorized projects are iconic coastal areas where the original need for federal participation has

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<sup>1</sup> “The Corps of Engineers and Shore Protection,” May 2003, p. 61-63, [http://www.iwr.usace.army.mil/Portals/70/docs/nsms/National\\_Shoreline\\_Study\\_IWR03-NSMS-1.pdf](http://www.iwr.usace.army.mil/Portals/70/docs/nsms/National_Shoreline_Study_IWR03-NSMS-1.pdf)

<sup>2</sup> Ben Brown, “Consultant: Carolina Beach should continue lobbying state for beach funds,” Portcitydaily.com, February 12, 2013, <http://portcitydaily.com/2013/02/12/consultant-carolina-beach-should-continue-lobbying-state-for-beach-funds/>

not decreased (or where federal involvement has not been robust enough to solve the problem), any steps to keep an authorization alive are important.”<sup>3</sup>

If the need for federal participation has not decreased after 50 years, however, it is unlikely to decrease after 65 years. Ongoing beach renourishment cannot be an indefinite federal commitment. Rather than allowing these partnerships to be prolonged, Congress should allow the current assistance periods to end as scheduled.

### **Beach nourishment is an expensive, temporary fix**

Beach nourishment is a costly, temporary solution to beach erosion. According to the CBO, “Beach erosion is a natural process, and replenishment projects serve only to temporarily delay the inevitable natural shifting of beaches.”<sup>4</sup> This makes these projects a significant long-term liability for taxpayers. In 2000, a NOAA report stated that projects typically last for only three to ten years.<sup>5</sup>

From 1987 to 2007, the Corps of Engineers spent a total of \$1.4 billion on beach nourishment.<sup>6</sup> In 2009, the Congressional

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<sup>3</sup> “Why WRDA matters to you,” March 26, 2013, American Shore and Beach Preservation Association website,

[http://www.asbpa.org/news/newsroom\\_13BN0326\\_WRDA.htm](http://www.asbpa.org/news/newsroom_13BN0326_WRDA.htm)

<sup>4</sup> “Budget Options,” Congressional Budget Office, February 2007, p. 64

<http://www.cbo.gov/sites/default/files/cbofiles/ftpdocs/78xx/doc7821/02-23-budgetoptions.pdf>

<sup>5</sup> Casey Hedrick, “State, Territory, and Commonwealth Beach Nourishment Programs,” March 2000, NOAA,

<http://coastalmanagement.noaa.gov/resources/docs/finalbeach.pdf>

<sup>6</sup> Correspondence to the office of Senator Coburn, Corps Office of Congressional Relations, April 11, 2008

Budget Office estimated that eliminating federal funding for these projects would reduce federal spending by \$702 million over a ten-year period.<sup>7</sup>

### **Beach nourishment encourages risky coastal construction**

Coastal geologist Orrin Pilkey notes, “The density of development behind an artificially rebuilt beach often increases dramatically. High rises, hotels and condos replace beach cottages, leaving more buildings than ever dangerously positioned when the next big flood or storm comes.”<sup>8</sup>

This risky construction can also drive up costs for the taxpayer through higher flood disaster assistance costs. According to a 2000 NOAA report, “Beach nourishment could induce development in high hazard areas by giving landowners and local officials a false sense of security and protection from storm waves and wind. Beach nourishment may also spur efforts to redevelop storm damaged or low density urban shorelines at higher densities. Such redevelopment may temporarily benefit the local landowners, businesses and governments, but it may also alter the ability of the public to access and use the beach. Taxpayers may also be exposed to greater liability in the form of disaster assistance when responding to storm damage.”<sup>9</sup>

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<sup>7</sup> “Budget Options Volume 2,” Congressional Budget Office, August 2009, pg. 60, <http://www.cbo.gov/ftpdocs/102xx/doc10294/08-06-BudgetOptions.pdf>

<sup>8</sup> Orrin H. Pilkey, “Army Engineers Hit the Beaches,” *Washington Post*, June 17, 2001

<sup>9</sup> Casey Hedrick, “State, Territory, and Commonwealth Beach Nourishment Programs,” March 2000, NOAA, <http://coastalmanagement.noaa.gov/resources/docs/finalbeach.pdf>

## **Beach nourishment primarily benefits local interests**

Beach nourishment is a questionable practice to begin with, and the current high level of federal support for these projects is even more problematic. Most of the benefit of these projects goes to local communities. The CBO noted this criticism of federal funding for beach nourishment when it included elimination for this funding as a budget option: “Proponents of halting federal spending for beach replenishment argue that its benefits accrue largely to the states and localities in which the projects occur and that the cost should therefore be borne entirely at the state and local level.”<sup>10</sup>

The 2007 Water Resources Development Act, however, made beach nourishment a national concern, stating “[I]t is the policy of the United States to promote beach nourishment...including beach restoration and periodic beach renourishment for a period of 50 years....”<sup>11</sup> These projects have little relevance to national priorities, however. Congress should act now to scale back its involvement in these costly long-term commitments that primarily benefit local communities.

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<sup>10</sup>“Budget Options,” Congressional Budget Office, February 2007, p. 64  
<http://www.cbo.gov/sites/default/files/cbofiles/ftpdocs/78xx/doc7821/02-23-budgetoptions.pdf>

<sup>11</sup> Water Resources Development Act of 2007, H.R. 1495, Government Printing Office, <http://www.gpo.gov/fdsys/pkg/BILLS-110hr1495enr/pdf/BILLS-110hr1495enr.pdf>

## **The past two administrations, as well as President Obama's Fiscal Commission, recommended reducing federal involvement in beach nourishment**

President George W. Bush and President Bill Clinton have both recommended decreasing the federal cost-share of beach renourishment projects to more accurately reflect their parochial nature.<sup>12</sup>

In 1998, the head of the Corps of Engineers under President Clinton testified about the administration's proposal to decrease the federal cost-share from 50 to 35 percent:

Under our proposal, the cost sharing for the initial construction of shore protection projects will remain the same (generally a 65 percent Federal share). However, the cost sharing for periodic nourishment of shore protection projects would change. Our recommendation is that when the project protects a developed area with shores under public control, the cost sharing of periodic nourishment would generally be 35 percent Federal and 65 percent non-Federal. When the project protects undeveloped private property, the cost sharing of periodic renourishment would remain at 100 percent non-Federal; and when the project protects Federal property, the cost sharing of periodic renourishment would remain at 100 percent Federal.<sup>13</sup>

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<sup>12</sup> Bill Adair & Amy Wimmer, "You bought this beach: Some of America's richest towns need sand - and you're paying," St. Petersburg Times, May 12, 2002, [http://www.sptimes.com/2002/05/12/Worldandnation/You\\_bought\\_this\\_beach.shtml](http://www.sptimes.com/2002/05/12/Worldandnation/You_bought_this_beach.shtml)

<sup>13</sup> Statement of Dr. Joseph W. Westphal, Assistant Secretary Of The Army (Civil Works), before the Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works, United States Senate, June 23, 1998, <https://bulk.resource.org/gpo.gov/hearings/105s/49519.txt>

In 2001, the head of the Corps of Engineers under President Bush likewise testified that the administration supported a 35 percent cost-share:

However, ongoing shore protection projects that involve periodic renourishment and that are otherwise consistent with established policies are supported in the FY 2002 budget, no matter when these projects were started, provided that non-Federal interests agree to pay 65 percent of the costs of renourishment work funded in FY 2002 or thereafter. This increased non-Federal cost share reflects the substantial economic benefits that these projects provide to state and local economies and ensures that the Federal Government's long-term nourishment obligations do not crowd out other important funding needs. The existing cost sharing for initial sand nourishment, which is 65 percent Federal and 35 percent non-Federal in most cases, is not affected by the new policy.<sup>14</sup>

In addition, the CoChair's Proposal of President Obama's National Commission on Fiscal Responsibility and Reform recommended terminating low-priority Corps of Engineers program. The proposal discusses beach nourishment programs as candidates for elimination.

The Corps also conducts various operations designed to counter beach erosion, typically by dredging offshore sand and pumping it onshore to rebuild eroded areas. The Corps funds a portion of such activities, and state and local governments pay the rest. The operations have two primary goals: mitigating damage (replenishment helps beaches act as barriers to waves and protects coastal property from severe weather) and enhancing recreation. However, proponents of eliminating the program, which would save about \$90 million annually, argue that the cost of beach

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<sup>14</sup> Statement of Claudia L. Tornblom, Deputy Assistant Secretary Of The Army (Management And Budget) before the Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works, United States Senate, April 26, 2001, [http://www.epw.senate.gov/107th/tor\\_0426.htm](http://www.epw.senate.gov/107th/tor_0426.htm)

replenishment should be borne by those who benefit from it: states, localities, and private landowners.<sup>15</sup>

### **Congress has repeatedly pushed to extend the period of federal assistance for beach nourishment**

In 1956, Congress authorized federal assistance with periodic renourishment for a period of usually ten years, and in 1976, they increased this period to 15 years. Then, the Water Resources Development Act 1986 extended the maximum assistance period to 50 years.<sup>16</sup> Instead of temporary assistance, renourishment became a long-term federal commitment. Now, Congress is effectively attempting to increase the maximum period to 65 years.

### **Renourishment has adverse environmental impacts**

In 2000, NOAA stated:

Beach nourishment projects can have serious long and short-term environmental effects at: the beach where the nourishment takes place; the borrow site; and, nearby areas of the water column and the water bottom. Potential negative effects include: disturbance of species' feeding patterns; disturbance of species' nesting and breeding habitats; elevated turbidity levels [a key test in water quality measuring the cloudiness of fluid caused by individual particles that are generally invisible to the naked eye]; changes in near shore bathymetry [the measurement of ocean depth] and

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<sup>15</sup> "CoChair's Proposal," National Commission on Fiscal Responsibility and Reform, November 10, 2010,

[http://www.fiscalcommission.gov/sites/fiscalcommission.gov/files/documents/IIIustrative\\_List\\_11.10.2010.pdf](http://www.fiscalcommission.gov/sites/fiscalcommission.gov/files/documents/IIIustrative_List_11.10.2010.pdf)

<sup>16</sup> "Beach Nourishment: A Guide for Local Government Officials," "History and Evolution of Laws Relating to Beach Nourishment," NOAA, undated,

<http://web.archive.org/web/20110611170034/http://www.csc.noaa.gov/beachnourishment/html/human/law/history.htm>



associated changes in wave action; burial of intertidal and bottom plants and animals and their habitats in the surf zone; and, increased sedimentation in areas seaward of the surf zone as the fill material redistributes to a more stable profile (National Research Council, 1995). Of particular concern are the impacts to endangered species such as sea turtles and shorebirds which use the beach as nesting areas.”<sup>17</sup>

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<sup>17</sup> Casey Hedrick, “State, Territory, and Commonwealth Beach Nourishment Programs,” March 2000, NOAA, <http://coastalmanagement.noaa.gov/resources/docs/finalbeach.pdf>