

Amendment Division 19 – Removes \$11,300,000 for the Army Corps of Engineers’ Sacramento Riverbank Protection Project in California.

Background

The project area is located in north-central California, along the Sacramento River and its principal tributaries. It provides erosion control bank protection for the Sacramento River Flood Control Project levees along with required fish and wildlife mitigation features. According to Corps budget justifications, the status of this project (as of January 2006) is 95 percent complete.

The project was authorized in 1960, it has received over a \$100 million already, and its future costs are known. There is no reason why this project be considered as part of this emergency supplemental appropriations bill.

The Issue-

- This project has a long history, and was first authorized in the Flood Control Act of 1960. According to the Corps of Engineers’ South Pacific Division’s website, the Sacramento River Bank Protection Project has already cost the federal government \$131.004 million, and an additional \$10.96 million has already been requested for next year. Last year \$6.3 million was included in the Energy and Water appropriations bill. The Corps (COE) also states that \$57.036 million more is needed to complete the project.[1]

- Again, according to the Corps, “the project solves and prevents levee erosion problems while providing fish and wildlife mitigation features. As a part of this project, some recreational facilities have been provided along the river.” For example:

-In its FY 2006 Budget Justification, the Corps estimates the project will require \$31 million for “fish and wildlife mitigation” including protecting the “threatened valley elderberry longhorn beetle” and “five threatened fish species” such as the Delta smelt and the winter-run Chinook salmon.

-However, in a drafted environmental assessment/initial study prepared by the Corps of Engineers and the California Reclamation Board in April of 2006[2], both of these costs are downplayed. The assessment states:

“Although there are no known cultural resources that might be disturbed, mitigation is included to address the potential for discovering archaeological or paleontological resources and/or human remains during the construction phase of the project.”

And, “Although the project would have no known significant impacts from hazardous materials, mitigation is included that requires a hazardous materials management plan to address unforeseen hazardous events.”

- In its budget justification for this project, the Corps also underscores the importance of providing “recreation facilities consisting of boat-launching facilities, campgrounds, and picnic areas needed along the river to meet a rapidly increasing public demand.” Causing further contradiction, the April 2006 assessment states: “The project would result in less-than-significant impacts to: aesthetics and recreation.”

Conflicting reports from the Corps of Engineers would suggest that the needs and impacts of this 46 year long project, and the project’s futures phase, has not yet been determined.

- The Corps estimates that it will need an additional \$57 million to complete the project, bringing the grand total of all expenditures on the project to \$275 million! Again, the Corps says that the project is 95 percent complete, yet it needs an additional \$68 million—including the \$11 million request in this supplemental “emergency.” Moreover, according to its own FY 2006 budget justification, the Corps admits that its overall cost estimate for this project has increased by \$19 million in the last 12 months.

- The Corps has been cited on numerous occasions by the GAO for its inability to predict costs and stay within forecasted budgets. In fact, some of GAO most direct criticisms have come in regards to Corps work in the Sacramento area.

- One has to ask- How long does it take to shore up levees, prevent erosion, and provide fish and wildlife mitigations? For over 40 years, taxpayers have been asked to finance \$100's of millions on the Corps riverbank protection efforts near Sacramento, and still, the Corps estimated that it will need \$11 million in emergency funds, and another \$57 million to complete its efforts.

- When is enough, enough? If this project is indeed an emergency, as we are being told, I think we need to be asking the tough questions. How much does it take to shore up levees near Sacramento - 40 years? I have a strong feeling that in 10 years the Corps may still be asking us for these "critical funds."

- These funds may in fact be needed, and if that is the case, the Corps of Engineers has failed miserably. As Chairman of the FFM subcommittee, I intend to ask for an explanation of every penny the Corps has spent on "riverbank protection" near Sacramento. Residents of this city and taxpayers all across the country should be outraged with the irresponsibility of the Corps in carrying out this project.

- Forty years and over a \$100 million later, we are being asked to give the Corps an additional \$11 million in emergency appropriations—money we will have to borrow from our grandkids—all because the Corps cannot do its job correctly the first, second, third, fourth... time.

- Additionally proponents will claim that the \$11.3 appropriated for the Sacramento River Bank Project will achieve necessary levee improvements. In fact, this is an erosion control measure. According to the COE liaison: "APPLICATION OF THE AMOUNT PROPOSED: \$11.3 Million will be used to complete construction and repair of 8 erosion sites within the pocket area around Sacramento."

- This \$11.3 million is going to a 46 year-old project that has already cost over \$131 million and that increased the project costs by \$19 million just over the last year – an overrun that could have paid for all three projects that I have offered amendments to strip from this emergency spending bill.

- It is not going to increase the height or construct an additional levee improvement.

Two other questions:

1) Does the Corps lack the resources to fund these “emergency needs?” According to OMB, the Corps of Engineers had \$4.5 billion in unobligated balances last year; and has an estimated \$5.8 billion unobligated balances for this year. According to the Corps itself, as of March 30, their “unobligated scheduled carryover was \$1.49 billion.

2) How have we prioritized federal funds for California? In FY 2006 alone, California had a total of 549 earmarks costing \$733,634,000[1]. The state received \$10 million in earmarks for museums alone. The California museum earmarks for this year would have been enough to pay for nearly all of the requested riverbank work. Are the following museum earmarks more important than protecting the City of Sacramento? :

- \$200,000 for the California State Mining and Mineral Museum;
- \$550,000 for development and construction of Noah’s Park at the Skirball Cultural Center.
- \$4,350,000 for repairs of Sala Burton Maritime Museum, San Francisco, California
- \$300,000 to City of San Jacinto, California for improvements to museum/Estudillo property
- \$175,000 for M.H. de Young Memorial Museum construction at the San Francisco Fine Arts Museum
- \$500,000 for construction of a museum, also at the San Francisco Fine Arts museum.

Conclusion- Attempting to attach more funds for the project (now in its 46th year) outside of the regular budget process takes advantage of an emergency appropriations intended to deal with only with most urgent and immediate needs of the devastated Gulf region and to provide for our soldiers in battle. It also adds to our \$8.3 trillion national debt when less important federal spending—such as the state’s museum earmarks for this year-- could have been reduced or eliminated to offset the costs for completing this project.

Timeline: Sacramento Riverbank Protection Project

- 1960 Authorized by Congress
- 1975 First phase of project completed: 81 miles of riverbank^[1]
- 1976 Second phase of project begins: 77 miles of riverbank^[2]
- 1987 Studies published with evaluations of environmental measures and wildlife values of Sacramento River Bank Protection Project sites^[3]
- 2000 Since induction in 1963, 152 miles of bank protection has now been completed.
- Over half of the Sacramento River's banks within the lower 194 miles have been now been protected, "*mainly from 4 decades of work by the Corps of Engineers' Sacramento River Bank Protection Project (SRBPP).*"^[4]
- 2001 U.S. Army Corps of Engineers received biological opinions from NOAA Fisheries and the U.S. Fish and Wildlife Service for the Sacramento River Bank Protection Project (SRBPP).^[5]
- 2004 Sacramento Area Flood Control Agency authorizes work along the east bank of the Sacramento River at mile 56.7^[6]
- 2005 Received \$6.237 million for FY '06 in appropriations.

^[1] U.S. Fish and Wildlife Service http://www.fws.gov/sacramento/hc/Reports/sac_river_riprap.pdf

^[2] U.S. Fish and Wildlife Service http://www.fws.gov/sacramento/hc/Reports/sac_river_riprap.pdf

^[3] DeHaven, R. W., and F. J. Michny. 1987 and Jones and Stokes Associates. 1987.

^[4] U.S. Fish and Wildlife Service http://www.fws.gov/sacramento/hc/Reports/sac_river_riprap.pdf

^[5] National Biological Information Infrastructure
http://cain.nbii.gov/regional/calfed/calfedabstracts/viewResource?resource=http%3A%2F%2Fcain.nbii.gov%2Fcalfed%2Fcalfedconf.owl%23calfedconf_Individual_1135

^[6] <http://www.safca.org/about/documents/Reso04-077.pdf>

Fiscal Year 2006 California Earmarks

<u>Bill</u>	<u>Amount</u>	
<u>Project</u>		
Ag	\$98,000	To research "sudden oak death"
Ag	\$3,625,000	Grape Genomics Research Center
Com	\$100,000	Martin Luther King Jr. Freedom Center for youth violence prevention in the city of Oakland
Com	\$4,000,000	Loma Linda University space radiation research (NASA)
Com	\$375,000	Central California air quality study (NOAA – Oceanic and Atmospheric Research)
Com	\$600,000	Chabot Space and Science Center in Oakland for The Future Programs for Humans in Space Education (NASA)
Com	\$1,000,000	University of San Francisco to acquire equipment for laboratories and upgrades to a science center
Energy Science Projects)	\$750,000	Children's Hospital of Los Angeles (Office of
Energy an MRI machine	\$1,000,000	Kern Medical Center to purchase and install
Energy	\$7,000,000	UCLA Institute for Molecular Medicine
Energy	\$500,000	The Arnold Palmer Prostate Center
Energy Program	\$2,000,00	National Hybrid Truck Manufacturing
Energy	\$450,000	National orange photovoltaic demonstration
Energy	\$957,000	Watsonville Area Water Recycling Project (Bureau of Reclamation: Water and Related Resources)

Interior Program)	\$1,000,000	Baxter Ranch (USDA Forest Legacy
Interior Research and Policy	\$1,500,000	Southwest Center for Environmental
Interior Save America's Treasures)	\$30,000	Murray Schoolhouse (National Park Service:
Interior	\$3,000,000	Pinnacles National Monument
Interior	\$1,200,000	Turtle Rock Fire Station relocation
Interior National Monument	\$500,000	Santa Rosa and San Jacinto Mountains
Trans replacement bus facility expansion	\$1,000,000	Greater Sacramento regional bus
Trans	\$100,000	Community aquatics complex on the campus of California Lutheran University, Thousand Oaks
Trans Alameda	\$700,000	Park Street streetscape improvements,
Trans	\$100,000	Myrtle Avenue Streetscape Project, Monrovia
Trans	\$12,210,000	Oceanside Escondido Rail Project
Trans	\$200,000	Paramount Easy Rider clean-air buses
Trans Program	\$157,000	La Habra Shuttle Senior Transportation
Trans Restoration	\$600,000	City of Oakland for the Fox Theater
Trans	\$200,000	City of Inglewood to construct a senior center
Trans	\$1,000,000	Pedestrian Walkway Project, Calimesa
Trans	\$500,000	Tower Bridge pedestrian/bike improvements
Trans	\$750,000	Fort Bragg Bike Path
