



Hello!

*Thank you for subscribing to WaterLog! If you have comments, suggestions, or we have missed something, please [let us know](#). Also, please don't hesitate to pass this Update along to your colleagues. It's easy to subscribe and it's free. [Just click here](#), and know that we NEVER share our subscriber information.*

---

## The Race to the Finish – Part 1

We took some time off during August to get refreshed and hope you did as well. Now that Congress is back in session, there's not much time before it breaks for Election Day. Let's take a look at what might or might not happen before the end of this month.

**Appropriations:** The federal fiscal year ends on September 30<sup>th</sup>, and none of the 12 appropriations bills that keep that government funded have been passed. To keep agencies funded (if their appropriations bills have not been passed by October 1<sup>st</sup>), Congress will pass a Continuing Resolution (or CR), likely until early in December.

Based on past experience, we will see one or more additional CRs before final bills are passed. There are a number of issues keeping some of these bills from being passed. One is overall levels of funding for the government and the other is spending priorities. The issue of Election Day and control of Congress (see below) also hovers over just about everything that happens in Congress this month.

**WRDA:** House and Senate-passed versions of the Water Resources Development Act need to be resolved into a final bill. This will have broad bipartisan support, so the only issues involve time: Time for the staff to agree on a final proposal and then floor time to debate and pass that final bill. If it doesn't happen this month, final passage will happen before the end of the year. That's Part 2 of the Race to the Finish. For a WaterLog comparison of the House and Senate WRDA bills, click [here](#).

## What Does Election Day Mean?

Control of both the House and Senate could change from Democrats to Republicans. However, that won't happen until January so party leaders will have to decide what they can and want to get done before then. Also, some people we've talked to seem to forget that the White House doesn't change hands in this election. So, we ought to expect more inter-party fighting no matter what happens on Election Day. From our nonpartisan perspective, what has already changed is public understanding that climate change is real and that government at all levels has a role in dealing with it. For at least the next two years, the huge amounts of money that began with the Covid-fighting measures passed by Congress as well as the Bipartisan Infrastructure Bill will continue to filter down to the local level. Listeners to our monthly [\*\*WaterLog podcast\*\*](#) know that we have been critical of the Biden administration for its lack of focus on

getting money into the hands of states and local governments to plan and implement measures to provide resilience to flooding and storms.

## **Disaster Season**

So far the Atlantic hurricane season has been quiet, but it's not over yet. Southern California did get a rare dousing for a Pacific hurricane, adding some much-needed water to their system. Record-breaking heat waves have hit many western states as well as other parts of the country, with the west also seeing outbreaks of serious wildfires. Climate change has made wildfires, hurricanes, and floods more serious. See this [New York Times article](#) for the increase in homes being built in areas at risk for wildfires which reminds of the equally accurate articles that cite the same phenomenon along the coast. The impacts of Covid on where people live and work have resulted in more people living in risky areas.

## **Flood Insurance - NFIP 2.0**

*E&E News* (subscriber access only) reported last month that 425,000 people had discontinued their National Flood Insurance policies since October when FEMA began increasing premiums to better reflect a property's flood risk. The data came from FEMA's own website, but by September 12<sup>th</sup>, *E&E* reported the data has been removed. While there have been complaints that the new method for calculating rates is flawed, the ultimate problem is that Congress has not had the political will to reform the program, which incidentally expires on September 30<sup>th</sup>.

## **Coastal Communities Deal with Offshore Wind Problems**

With the alarm of climate change ringing loudly across the Country, the US is racing to install offshore wind farms up and down the Atlantic Seaboard, starting with a project off the coast of Martha's Vineyard (Vineyard Wind) and another off the Coast of New Jersey (Ocean Wind 1). While just about the entire country agrees we need to quickly and drastically reduce our reliance on fossil fuels, there is still significant disagreement over how we do that. One area is the contentious issue of offshore wind.

Like all energy projects, offshore wind hosts a variety of impacts to local municipalities along the coast. If you have been listening to our podcast, we have touched on the issues briefly. Cape May County, as well as other interest groups and homeowner organizations in New Jersey provided comments to the Bureau of Ocean Energy Management discussing each of these concerns at length.

On land, it is well known that wind turbines leak oil; are frequently struck by lightning; fall over from strong winds; and have killed hundreds of thousands of birds annually. As a result, many of the opponents of offshore wind question why they belong in the ocean, which is home to some of the planet's harshest conditions.

In addition, while the wind farms will be constructed and evaluated one by one, we must take a look at the big picture to see the full impact. The big picture plan in the Atlantic includes the construction of over 5,500 1050-foot turbines, several thousand miles of subsea cable, and dozens of offshore substations. Many people have a vision of small wind turbines in the ocean. To be clear, the 1,050-foot turbines of

Ocean Wind 1 will be the tallest structures ever built in New Jersey.

What you should know - Offshore wind in NJ has the potential to:

- Reduce tourism and visitor spending by 10% or more throughout Cape May County, New Jersey
- Significantly impact the sustainable commercial fishing industry in New Jersey
- Scar the natural landscape and ocean viewshed with over 5,500 1050-foot turbines from Massachusetts to North Carolina
- Block the migration of the critically endangered North Atlantic Right Whale and significantly increase likelihood of mortality events due to a drastic increase in vessel traffic (a leading cause of marine mammal mortality is vessel strikes)
- Kill hundreds of thousands of migratory birds (many of which are endangered)
- Triple or quadruple energy costs for residents already experiencing financial hardship due to inflation
- Create massive oil spills in the Atlantic due to several hundred thousand gallons of oils and toxic fluids contained within each wind farm (each turbine contains in excess of 3,300 gallons of oils, dielectric fluids, diesel fuel, and lubricants)
- Significantly disturb the seafloor and important benthic (seafloor) habitats with thousands of miles of buried cable and pile driving of 5,500 turbine monopiles

These impacts could saddle coastal communities with a burden they never asked for. So, what can local communities do? Howard and I have been involved in discussions about offshore wind legislation that aims to provide ‘impact payments’ to local governments through direct allocations to political subdivisions, as well as grant programs that help protect the ocean and coastal zone. The bills currently introduced are RISEE in the Senate, and BREEZE in the House.

Both bills are very similar and straightforward in regard to offshore wind. The impetus for the bills was to create parity in offshore oil and gas leasing revenues between interior and coastal states, which both of the bills do. In addition, both provide 50% of revenue from the sale of offshore wind leases to states. How those funds are then distributed to states is uncertain. Both bills also give 37.5% of revenue to a grant program, also yet undecided. The remaining 12.5% goes to the general treasury.

The payments to states and the distribution to local political subdivisions is critical because the health and wellbeing of coastal communities will be determined by their ability to be resilient to storms and flooding into the future as sea levels rise and coastal flooding increases. Language in both bills is tailored directly to support coastal needs like hurricane protection, coastal flooding, and infrastructure resilience. We have specifically encouraged the words “beach nourishment,” which was contained originally in the BREEZE Act, but not in RISE (the words Hurricane Protection were used instead).

The timing of this legislation is uncertain, but it could become part of a package that passes before year-end. However, it is likely that the issue is pushed to next Congress. If you would like more information, please contact Dan Ginolfi, [dan@waterlog.net](mailto:dan@waterlog.net)

## **Plenty of Corps Money for Planning and Technical Assistance**

Each year, the Corps provides a pot of money for what is called *Planning Assistance to States* (PAS). This

program can provide states (and local governments and universities (with the approval of the state)) with planning and technical assistance from the Corps of Engineers at a significant discount compared to a general engineering firm. This year, there is more than four times the amount normally appropriated, or \$39,000,000 compared to \$9,000,000

If you want to investigate what is causing flooding, or how to reduce flooding, or identify what roads or utilities need to be raised to be resilient, the PAS program can help. If you want to plan the development, utilization, and conservation of the water and related resources of drainage basins, watersheds, or ecosystems located within the boundaries of that State, including plans to comprehensively address water resources challenges such as the state water plan, the PAS program can help.

The difference in cost comes from whether the Corps is involved with comprehensive planning or providing technical services. In the case of comprehensive planning, the non-federal sponsor can contribute in-kind services such as materials, supplies, office space, meeting rooms, and existing data, which can make up the entirety of the sponsors cost-share. This means somewhere between little-to-no-cost and *free*. If you need technical services, those are done at a 50:50 cost share, which can still provide a great discount over the services of a general engineering firm.

An example of this project is currently taking place in New Jersey where the state and the Corps have partnered to identify low-lying roads and utilities that are prone to flooding and provide recommendations on how to address those issues. The project is in final review and is expected to be completed in 2022.

For many local governments that are short on personnel, this program can certainly help. Our philosophy is that this program should be widely used across the country for issues related to sea level rise and coastal planning. The Corps has a significant amount of in-house expertise that can help local governments with limited resources make important decisions about their future. The current funding level is unusually high and Corps headquarters does not have a plan to spend it, yet. If you'd like a piece of this funding, please contact us at [dan@waterlog.net](mailto:dan@waterlog.net).

Contact Information:

**Howard Marlowe | President**  
Warwick Group Consultants, LLC  
[Howard.Marlowe@WarwickConsultants.Net](mailto:Howard.Marlowe@WarwickConsultants.Net)  
1717 K Street, NW, Suite 900  
Washington, DC 20002  
(202) 787-5770

**Dan Ginolfi | Senior Public Policy Advisor**  
Warwick Group Consultants, LLC  
[Dan.Ginolfi@WarwickConsultants.Net](mailto:Dan.Ginolfi@WarwickConsultants.Net)  
1717 K Street, NW, Suite 900  
Washington, DC 20002  
(202) 787-5770