



Union of Concerned Scientists



June 2, 2022

The Honorable Patrick Leahy
Chairman
U.S. Senate Committee on Appropriations
S-128, The Capitol
Washington, DC 20510

The Honorable Richard Shelby
Vice Chairman
U.S. Senate Committee on Appropriations
S-128, The Capitol
Washington, DC 20510

The Honorable Rosa DeLauro
Chairwoman
U.S. House of Representatives
Committee on Appropriations
H-307, The Capitol
Washington, DC 20515

The Honorable Kay Granger
Ranking Member
U.S. House of Representatives
Committee on Appropriations
1036 Longworth House Office Building
Washington, DC 20515

Dear Chairman Leahy, Chairwoman DeLauro, Vice Chairman Shelby, and Ranking Member Granger:

As you begin work on appropriations legislation for the 2023 Fiscal Year, we ask that you support needed resources for our nation's dams. We represent a diverse coalition of

environmental organizations, dam safety officials, civil engineers, and hydropower industry and reform advocates, and are committed to supporting critical dam rehabilitation, retrofitting, and removal activity (3R's). These efforts would support public health and safety, energy production, and river and ecosystem restoration.

A critical component of our nation's infrastructure, many of the nation's more than 92,000 dams serve a variety of purposes. These include supporting water supplies for agriculture and industry, flood control, and production of renewable electricity. However, the nation's dams continue to face myriad ongoing challenges. The American Society of Civil Engineers' (ASCE) *2021 Report Card for America's Infrastructure* gives the current condition of the nation's dams a "D" grade. The Association of State Dam Safety Officials (ASDSO) estimates the total cost to rehabilitate the nation's non-federal dams at nearly \$75.7 billion. Robust investment in the 3R's would have the effect of improving the overall safety of the nation's dams and their surrounding communities, supporting the restoration of river ecosystems and wildlife populations, and providing new avenues for energy production and enhancing energy grid resilience.

To address these critical needs for the nation's dams, the Uncommon Dialogue Coalition urges the Senate and House Appropriations Committees to support the following priorities:

Rehabilitation

National Dam Safety Program- The National Dam Safety Program (NDSP) provides federal grant assistance for state dam safety programs to develop Emergency Action Plans, perform dam inspections and comprehensive engineering assessments, and perform other dam safety functions. It also provides training for dam safety engineers, research, and public awareness and outreach programs. Since the inception of the NDSP more than 25 years ago, it has helped to build out the inventory of over 92,000 dams across the country, assessing their condition and providing training and tools to state dam safety programs. However, despite the role state dam safety programs play in public safety, many lack the necessary resources to be effective as the NDSP has consistently been funded well below its authorized level. To that end, **we urge the committee to fully fund the National Dam Safety Program in FY 2023.**

High Hazard Potential Dam Rehabilitation Program- The High Hazard Potential Dam Rehabilitation Program provides federal grant assistance for the rehabilitation, repair, or removal of non-federal high hazard potential dams, which are dams whose failure would result in the loss of life. Over the past two decades, the number of dams rated as having high hazard potential has more than doubled as development steadily encroaches on once rural dams and reservoirs. According to ASDSO, the total cost to rehabilitate the nation's non-federal high hazard potential dams is more than \$24 billion. Unfortunately, much like the NDSP, the High Hazard Potential Dam Rehabilitation Program has been significantly underfunded since it was first authorized in 2016. To help it live up to its potential and help repair the nation's highest priority dams, **we urge the committee to fully fund the High Hazard Potential Dam Rehabilitation Program.**

Removal

Community Based Restoration Grant Program – The Community Based Restoration Grant

Program (CRP) hosted by the National Oceanic and Atmospheric Administration (NOAA) supports restoration projects that use a habitat-based approach to rebuild productive and sustainable fisheries, contribute to the recovery and conservation of protected resources, promote healthy ecosystems, and yield community and economic benefits. This funding can be used for removing dams (in-stream barriers) and providing technical assistance for such projects. To continue the important work of this program, **we urge the committee to fully fund the Community Based Restoration Grant Program.**

National Fish Passage Program – The National Fish Passage Program of the US Fish and Wildlife Service (USFWS) works with communities to restore rivers and conserve aquatic resources by removing barriers. The program works to remove obsolete and dangerous dams, providing permanent dam safety solutions and restoring river ecosystems. Thus far, the program has reopened access to over 61,000 miles of upstream habitat by removing or bypassing over 3,400 barriers to fish passage. To support this important work, **we urge the committee to fully fund the National Fish Passage Program.**

Aquatic Ecosystem Restoration Program – The Section 206 Aquatic Ecosystem Restoration Program of the US Army Corps of Engineers is a competitive grant program that provides funding for restoring aquatic ecosystems for fish and wildlife. This funding can be used for removing dams (in-stream barriers) and technical assistance for such projects. To continue this work, **we urge the committee to fully fund the Section 206 Aquatic Ecosystem Restoration Program.**

US Forest Service - Removal of Non-hydropower Federal Dams – This grant program, established through Infrastructure Investment and Jobs Act, provides funding for the Forest Service to remove non-hydropower federal dams and for providing technical assistance. These funds may be transferred to USFWS and National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act. The USFS owns nearly 1,800 dams throughout the nation, most of which are over 50 years old and reaching the end of their life. To address these dams, **we urge the committee to fully fund the US Forest Service to remove non-hydropower federal dams.**

Retrofitting

Environmental Improvements for Ecological Efficiency of Existing Infrastructure (EPAct Section 247 Provision Included in the Infrastructure Investment and Jobs Act) – As part of the Infrastructure Investment and Jobs Act, Congress established a new Department of Energy (DOE) grant program under Energy Policy Act (EPAct) Section 247 to encourage hydropower facilities to support environmental, dam safety, and grid resiliency investments. This program was carefully created to ensure that funding would make further investments in environmental, dam safety, and grid resiliency enhancements; not discriminate between type of owner or operator, such that private entities, public utilities, municipalities, and nonprofits are all equally eligible; provide certainty that facilities that make qualifying investments will receive the full value of the grant (e.g., avoid pre-approval application processes that would deter and delay such investments); and balance the various needs of the grid, rivers, and stakeholder priorities, as intended.

We are expecting DOE to publish program guidance in the coming year and begin implementing it. We offer ourselves as a resource as DOE begins its implementation process. **We ask Congress to provide robust funding for this historic opportunity to invest in the retrofiting of America’s dam infrastructure.**

We thank you for your attention to these priorities and welcome any questions or concerns you have regarding this request.

Sincerely,

The Uncommon Dialogue Coalition

American Society of Civil Engineers

Association of State Dam Safety Officials

Low Impact Hydropower Institute

American Rivers

Gravity Renewables

Union of Concerned Scientists

Trout Unlimited

National Hydropower Association