



December 6, 2021

The Honorable Michael Connor
Assistant Secretary of the Army for Civil Works
Department of the Army
108 Army Pentagon
Washington, D.C. 20310-0108

Dear Secretary Connor,

Congratulations on your confirmation as Assistant Secretary of the Army for Civil Works. Your background and your understanding of our nation's water resources challenges will serve you well in this position. Your appointment comes at an important moment in our history—the start a new era of major federal investment in our nation's infrastructure. The enactment of the Infrastructure Investment and Jobs Act (IIJA) provides an opportunity to accelerate progress on the effort to restore the Chesapeake Bay, of which the Army Corps of Engineers is a federal agency partner. It is with this opportunity in mind that we write you today to highlight our aspirations for collaboration with you and the Army Corps.

The work of the Army Corps of Engineers is critically important to our state, and the numerous Maryland projects listed each year in the Corps' annual Work Plan testify to this fact. This year, we support all 12 of the projects listed for Maryland in the Administration's Budget Request for FY 2022, six of which cross state boundaries. We are especially grateful for the inclusion of the Chesapeake Bay Oyster Recovery project in the Budget Request for the first time and support its inclusion in future budget requests. With the return of Congressionally Directed Spending and Community Project Funding requests in the Senate and House, the Maryland Congressional Delegation secured \$45.8 million to support six additional Corps projects beyond what was included in the Administration's Budget Request, and we ask that these projects be implemented if included in an FY 2022 omnibus funding bill:

- Starting construction on Mid-Bay
- Advancing restoration projects under the Chesapeake Bay Section 510 program
- Maintaining the navigation channel of St. Patrick's Creek
- Completing environmental review for the C&O Canal rewatering project
- Addressing slope stabilization concerns with Stadium Way at Morgan State University
- Assessing future dredging needs for the Pocomoke River

Beyond the projects identified by the Administration, as you begin to formulate plans for the coming year and for implementation of the Infrastructure Investment and Jobs Act, we ask you to consider several longstanding priorities not necessarily included or fully expressed in the list of projects in the Budget Request.

First, the Port of Baltimore plays a critical role as a driver for our state economy and as a hub in our national supply chains. Its ability to expand capacity and increase efficiency will be a key component of our work nationwide to upgrade our supply chain infrastructure. In Maryland, we are proud to partner with the Port in advancing projects for the beneficial use of dredged material, pursuing the dual goal of maintaining the safety of our navigation channels and restoring the Bay's ecosystems and wildlife habitat. We have done this at Poplar Island and are eager for the work to continue with the construction of the Mid-Chesapeake Bay Island Ecosystem Restoration Project. We ask for your commitment to this multi-year effort in transitioning from Poplar to Mid-Bay.

Second, as you consider the Army Corps' contribution to the implementation of the Infrastructure Investment and Jobs Act, we ask you to keep in mind the importance of Maryland's beaches and shorelines. As a coastal state, the active use of our beaches and shorelines requires timely maintenance. Ocean City, Maryland for example, has relied on the Corps' regular installments of beach renourishment work, and we hope you will incorporate this priority into your planning for the use of construction funds under the IJA. Since the 1990s, this renourishment work has prevented more than \$900 million in storm damages, while helping to maintain local economic activity that contributes hundreds of millions of dollars in federal tax revenue each year.

Third, the Infrastructure Investment and Jobs Act provides \$4 billion for Operations and Maintenance. We ask for your consideration of the large maintenance backlog for smaller, federally-authorized navigation channels and harbors in Maryland. For many small communities along the Chesapeake Bay, daily lives and a sense of place are linked to opportunities on the water for both commerce and recreation. However, some of the channels and harbors that these communities rely on have waited years or even decades for maintenance necessary for safe navigation. Projects to address this maintenance backlog can provide benefits for disadvantaged communities, including flood protection and ecosystem resilience.

We recognize that these channels and harbors would likely be categorized as "low use" within a national context that includes our largest ports. But they are nevertheless vital to the livelihoods and identities of the communities along the Chesapeake Bay and are part of what gives the Bay watershed region its unique character. We also recognize that addressing their maintenance needs requires coordination and planning, such as identifying suitable disposal sites for dredged material. However, expanded use of dredged material can contribute to resilience and integrated water resources management, unlocking more ways to move forward on navigation maintenance. We are confident that with a concerted effort to find creative solutions and new funding under the IJA, we can address the backlog of navigation needs in Maryland, and bring our small channels and harbors back to a safe, usable condition.

Fourth, the Infrastructure Investment and Jobs Act provides \$160 million for the Army Corps' regulatory program. This funding is a critical to protect the nation's aquatic environments, including wetlands. As construction begins on a wide range of infrastructure projects, the regulatory program's workload is certain to increase in the near future. We need the regulatory program to execute its critical role in safeguarding our natural resources without becoming overburdened and causing avoidable delays in permitting. As you plan for the allocation of this

funding, we request your full consideration of the Baltimore District's needs for expanding capacity in the regulatory program, including hiring new staff.

Fifth, climate change is embedded in all of the water resources issues that we have raised in this letter so far. Increasing the climate change resiliency of the Chesapeake Bay watershed is an essential goal of the 2014 Chesapeake Bay Watershed Agreement. Our efforts to restore the Chesapeake Bay will be successful only insofar as they recognize the reality of climate change and the need for resilience to its impacts. Around our state, the adverse impacts of climate change are already hitting home, such as record-setting rainfall events that are overwhelming our infrastructure, increasing frequency of nuisance flooding that is undermining investment in business districts, and rising sea levels that threaten communities around the Bay. We request that as you assume your new position, you consider how the Corps can expand its work through Planning Assistance to States and Flood Plain Management Services to help communities undertake resilience planning and adapt to the new kinds of storm and flood risks we face in Maryland.

Finally, the Chesapeake Bay is a national treasure that supports commerce, livelihoods, ecosystems, and a unique cultural heritage in Maryland. The establishment of the Chesapeake Bay Environmental Restoration and Protection Program in Section 510 of WRDA 1996 recognized the important role the Army Corps plays in the restoration and protection of the Bay, and the program now has a completed *Comprehensive Water Resources Restoration Plan*. It is time to recommit to implementation, and we ask for your support in allocating funds to this program to accelerate progress towards our environmental goals.

Again, congratulations on your confirmation. We look forward to partnering with you and the Army Corps of Engineers in the months ahead, and we appreciate your consideration of these requests.

Sincerely,



Benjamin L. Cardin
United States Senator



Chris Van Hollen
United States Senator