

# Mississippi River Cities & Towns Initiative

## Policy Platform

Capitol Meeting, Washington, DC 2015



THE MISSISSIPPI RIVER, AMERICA'S ORIGINAL MAIN STREET

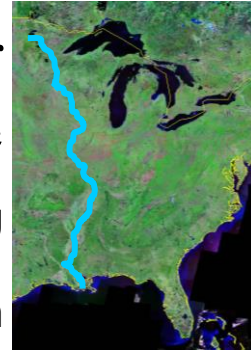




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- Provide ample support for trails, byways and bridges in a new Highway Transportation Bill;
- Fund a flexible USDA Natural Resources Conservation Service, Watershed and Flood Prevention “Landscape Resiliency” initiative;
- Effectively prohibit coal ash from being deposited within flood plains;
- Fund key economic development priorities underlying a sustainable River economy:
  - ≈ America’s Marine Highway Grant Program, through MARAD - \$10 million
  - ≈ Army Corps’ Civil Works Budget - \$5.5 billion
  - ≈ Section 106 Water Pollution Control Grants Program - \$249.2 million
  - ≈ Drinking Water and Clean Water State Revolving Funds - \$2.35 billion
  - ≈ Pre-Disaster Mitigation Program - \$200 million

## **Provide Ample Support for Trails, Byways and Bridges in New Transportation Bill**

### **Background:**

The Federal Highway Administration (FHWA) provides expertise, resources and information to improve the nation's highway system and its intermodal connections. The FHWA Federal-Aid Highway Program provides financial assistance to the states to construct and improve the National Highway System, and other roads, bridges and trails, including pedestrian and bicycle projects, which are eligible for every major Federal-aid funding category. The Federal Surface Transportation Program is the largest single funding source for shared use paths and trails, providing about \$200 to \$300 million each year for trails, including \$70 to \$90 million a year for recreational trails.

These trail-funding programs benefit local economies. The many trail offerings in the Mississippi River's urban and rural areas help communities retain jobs, attract visitors and improve the quality of life for residents and tourists alike. Trails provide transportation choices for people, while promoting healthy, active lifestyles. They connect people to recreation venues such as the River, and to shopping and employment destinations. Trails help reduce air pollution by shifting motorists off congested roads.

The health of the Mississippi River region's bridges is directly tied to the region's ability to compete in a national and global marketplace. The region's bridges create assemblages of vibrant activity and trade, while promoting clustering of people and businesses along the River. Conversely, closed and dilapidated bridges isolate portions of communities. Despite their importance, in 2012, nearly 11%, of the nation's bridges were structurally deficient, and over 30% of existing bridges exceeded their 50-year design life. Current funding levels are not sufficient to repair or replace the nation's large-scale, urban bridges. Maintaining or replacing deficient bridges is a significant challenge for cash-strapped state and local governments to manage. The estimated cost to repair or replace deficient highway bridges in the ten Mississippi River states, alone, was estimated in 2013 to be \$12.54 billion.

### **The Issue:**

A reliable Federal funding source that supports the nation's transportation system, including its trails, byways and bridges, has been absent since 2005; the last time that Congress passed a long-term transportation bill. That bill has been extended numerous times since, the latest extension (the Highway and Transportation Funding Act of 2014) providing \$10.8 billion for highway programs through May 31, 2015. Passage of a new, long-term surface transportation bill before that May 31 deadline should be one of the top priorities of the 114<sup>th</sup> Congress, in part, to provide consistent, reliable and sustainable funding for the trail, byway and bridge projects that the Mississippi River Cities and Towns Initiative mayors seek to construct and maintain.

Therefore, the Mississippi River Cities and Towns Initiative mayors call upon Congress and the Administration to:

***Develop a national strategic plan to address the maintenance and restoration of the nation's structurally deficient and aging bridges; and concurrently increase annual investment levels for bridge repair, reconstruction and renovation.***

***Pass a new highway transportation bill that adequately supports FHWA programs funding the construction and maintenance of trails, byways and bridges, including the:***

- Surface Transportation Program, which provides funding for "non-motorized transportation," such as transportation alternative type projects, recreational trail projects, and research and planning (fund at the President's FY 2016 request level of \$10.26 billion)
- Congestion Mitigation and Air Quality program, which provides a flexible funding source to State and local governments for transportation projects and programs designed to help States meet the requirements of the Clean Air Act (fund at the President's FY 2016 request level of \$2.32 billion)
- Highway Safety Improvement Program, which provides funding for states to develop and regularly update a State Strategic Highway Safety Plan that lays out strategies to address key safety problems, including bike and pedestrian safety (fund at the President's FY 2016 request level of \$2.6 billion)
- Transportation Alternatives Program (TAP), which supports safe, multimodal transportation networks within communities, including safe routes to school, trail and other projects that improve overall safety and access, preserve historic transportation infrastructure, preserve water quality, and reduce wildlife collision (fund at the President's FY 2016 request level of \$2.6 billion)
- Federal Lands Transportation Program, which funds projects that improve public access on high-priority roads, trails, and transit systems within the Federal estate (national forests, national parks, national wildlife refuges, national recreation areas and other Federal public lands) on infrastructure owned by the Federal government (fund at the President's FY 2016 request level of \$370 million)
- National Scenic Byways Program - at one time, a key provider of funds for designated byways. Although authorized, the 2012 MAP-21 legislation ended funding for the America's Byways Resource Center and suspended funding for the National Scenic Byways Program competitive grants program. Should Congress decide not to reinstate funding for National Scenic Byways Program grants in a new transportation bill, that legislation should contain clarifying language specifying that byway-related projects may be eligible for funding under the FHWA TAP (see above), which provides resources to expand transportation choices and enhance the transportation experiences (i.e., making clear that byways have access to that potential funding pool).

The Mississippi River Cities and Towns Initiative mayors realize that any new transportation legislation proposed in 2016 may entail program consolidation, including merging of some or all of the programs listed above. If that consolidation occurs, the Mayors suggest that it be done in a manner preserving the intent and funding eligibilities of the programs being consolidated, and that the programs reflect an appropriate level of funding flexibility (i.e., allowing a suitable level of state and local discretion on how funds are expended and providing an opportunity to increase funding in areas that have been previously capped by existing program eligibilities).

## **Fund a Flexible USDA Natural Resources Conservation Service Watershed and Flood Prevention “Landscape Resiliency” Initiative**

### **Background:**

The USDA Natural Resources Conservation Service (NRCS) watershed programs provide for cooperative actions among Federal, state and municipal entities as they work to reduce damage from flooding, sedimentation and erosion; and on projects related to water and land conservation, development and use. NRCS Watershed and Flood Prevention Operations funds, for example, can be utilized for flood prevention and flood damage rehabilitation efforts, as the needs dictate and opportunities arise.

### **The Issue:**

The President’s FY2016 budget request includes \$200 million in new funding for NRCS Watershed and Flood Prevention Operations to provide planning assistance, and thereby increase landscape resiliency and better protect communities most vulnerable to the effects of climate change. Through a new “landscape resiliency” effort, NRCS plans to develop and implement strategies that focus on assisting communities as they prepare for and mitigate from extreme weather events, with an initial focus on projects that benefit coastal areas. The Watershed and Flood Prevention Operation assistance will be designed to foster broad community buy-in, leverage other funding sources, and aid in meeting often competing interests at the local level. However, the criteria that will form the basis for utilizing the funds and defining how local municipalities will obtain access to those funds are as yet unclear.

Therefore, Mississippi River Cities and Towns Initiative mayors call upon Congress and the Administration to:

***Provide funds within the NRCS Watershed and Flood Prevention Operations for the “landscape resiliency” effort at the President’s FY 2016 request level of \$200 million.***

***Specify criteria to help determine how the landscape resiliency funding will be utilized and by whom, and in doing so, assure local municipal access to those funds for their intended purposes.***

## Effectively Prohibit Coal Ash from Being Deposited Within Flood Plains

### **Background:**

On December 19, 2014, the U.S. Environmental Protection Agency (EPA) announced the first national regulations designed to control the disposal of coal combustion residuals (also known as "coal ash") from coal-fired power plants. The regulations include requirements for coal ash impoundments and landfills that address risks evident from past, improper disposal practices. Often, those past practices resulted in catastrophic failure of surface impoundments, and damage to properties, surface water, groundwater and the air. The new rules include restrictions on where new coal ash surface impoundments and landfills may be located, so that they cannot be built in sensitive areas such as wetlands and earthquake zones; and they require the closure of unlined surface impoundments that are polluting groundwater. The rule becomes effective 180 days after its December 19 publication date.

### **The Issue:**

The Mississippi River Cities and Towns Initiative mayors appreciate many of the protections included in the December 2014, coal combustion residuals disposal regulations. However, that rule does not change the floodplain requirements with respect to existing or future coal ash landfills and surface impoundments. Existing coal ash disposal facilities are already subject to the location and pollution standards in the EPA rules regarding Classification of Solid Waste Disposal Facilities and Practices. Those solid waste floodplain restrictions state in part that, "Facilities or practices in floodplains shall not restrict the flow of the base flood, reduce the temporary water storage capacity of the floodplain, or result in washout of solid waste, so as to pose a hazard to human life, wildlife, or land or water resources." Those solid waste regulations do not categorically restrict the placement of coal ash landfills or surface impoundments within floodplains. Therefore, both the solid waste and new coal ash disposal rules might allow for the permitted disposal of coal ash within floodplains under certain scenarios – situations that could pose unacceptable risks to human health, property and the environment in the event of facility failure.

Therefore, Mississippi River Cities and Towns Initiative mayors call upon the Administration to:

***Oversee and assure the proper implementation of the coal combustion residuals disposal regulations, so that:***

- Effectively, coal ash is no longer disposed within floodplains; or
- Should coal ash disposal facilities be permitted within floodplains, the risks associated with regulated coal ash disposal within floodplains are significantly reduced.

***Continue to work with states and encourage them to integrate the coal combustion residuals disposal regulations into their waste management plans.***

Mississippi River Cities and Towns Initiative mayors call upon Congress and Administration to:

***Reject passage of legislation that overturns, blocks, or otherwise restricts the implementation of the coal combustion residuals disposal regulations.***

## Economic Development Funding Priorities for a Sustainable River Economy

**Background:** The Mississippi River Valley economic development appropriations priorities of the Mayors reflect a compelling human need around growing the essential economy of the Mississippi River in a sustainable manner. These Federal accounts are critical to building economic prosperity and ecological integrity throughout the region and are valuable due to their performance and return history. These accounts, in essence, pay for themselves and create growth through much-needed leveraging within the public and private sectors.

***Fund America's Marine Highway Program Grant Account at \$10 million (fund MARAD at President's request of \$406.8 million; and MARAD Operations and Programs at President's request of \$54.1 million)***

**The Issue:** Consisting of over 29,000 nautical miles of navigable waterways, America's Marine Highway System serves as an extension of the surface transportation system and promotes short sea transportation. Two Marine Highway System routes (the M-55 and M-70 Corridors) incorporate the Mississippi River. Those two corridors are vital components of the nation's inland waterway system and central to maintaining vibrant local, regional, and national economies, particularly as a result of the waterway navigation industry's ability to efficiently transport a significant portion of the region's agricultural and other commodity exports to the Gulf of Mexico.

America's Marine Highway Program is a Department of Transportation-led program to expand the use of our Nation's navigable waterways and to relieve landside congestion by increasing the efficiency of the surface transportation system. The Program is administered by the Maritime Administration (MARAD), which collaborates with stakeholders from all transportation sectors to improve and strengthen the U.S. marine transportation system, including building a U.S. maritime system for the 21st Century.

For FY 2016, the President requested \$406.8 million to fund MARAD activities (significantly above the \$341.2 million FY 2015 enacted level). The request includes \$54.1 million for MARAD Operations and Programs, an increase of \$3.7 million above the FY 2015 enacted level. MARAD Operations is specifically tasked with overseeing America's Marine Highway initiative and Marine Highway program grant funded projects.

**Therefore,** the Mississippi River Cities and Towns Initiative mayors call upon Congress to support the Marine Highway Program by fully funding MARAD, including MARAD Operations and Programs, at the President's requested FY 2016 levels specifically so there can be funding placed into the Marine Highway Program's public grant account at a level of \$10 million or better.

### ***Fund the Mississippi Valley Division Civil Works Program at \$5.5 billion***

**The Issue:** The Army Corps of Engineers' Civil Works program budget funds the Mississippi Valley Division civil works program, which manages critical activities needed to reduce the risk of flood impacts in River communities, facilitate economically vital waterborne transportation, restore significant aquatic ecosystems, generate low-cost renewable hydropower, and support the River region's jobs. However, despite the critically-important nature of such projects, the Army Corps of Engineers' Civil Works programs under the President's proposed FY 2016 budget would be funded at \$4.73 billion; 15 percent lower than the \$5.5 billion that Congress appropriated to the Army Corps in FY 2015.

A funding level of \$5.5 billion would give the Corps the same capitol used to successfully combat the 500-year flood events of 2011 plus allow for funds to be dedicated toward adaptation and resilience to address the impacts of climate disruption.

**Therefore,** the Mississippi River Cities and Towns Initiative mayors urge Congress to oppose cuts to and support the maintenance of the Army Corps of Engineers' Civil Works program budget at a funding level of \$5.5 billion. In particular, the mayors urge support for full funding for the Army Corps' Mississippi Valley Division civil works program.

### ***Fund Section 106 Water Pollution Control Grants Program at the President's Request of \$249.2 million***

**The Issue:** EPA's Clean Water Act Section 106 Categorical State Grant Program provides grants (known as "Water Pollution Control Grants") to states for prevention and control measures that improve water quality. The President proposes an \$18.4 million increase for FY 2016 for the Section 106 program over the FY 2015 enacted level, which would result in a total of \$249.2 million for Water Pollution Control Grants. The proposed increase would be directed at state and tribal efforts designed to implement water pollution controls and strengthen nutrient management efforts consistent with the EPA's state nutrient reduction framework.

Section 106 Water Pollution Control Grants have resulted in a reduction of non-attainment areas as listed by the program assessment rating tool for the grant program.

**Therefore,** the Mississippi River Cities and Towns Initiative mayors ask Congress to fund the Section 106 Categorical State Grant Program's Water Pollution Control Grants at the \$249.2 million level proposed by the President for FY 2016.



### ***Fund Drinking Water and Clean Water State Revolving Funds at \$2.35 billion***

**The Issue:** As in the President's FY 2015 Budget, cuts to the Drinking Water and Clean State Revolving Funds are proposed for FY 2016. A reduction of \$54 million below the FY 2015 enacted level is proposed, which would result in a FY 2016 funding level of \$2.3 billion. That proposed total includes \$1.116 billion in capitalization to the Clean Water State Revolving Fund, and \$1.186 billion for the Drinking Water State Revolving Fund.

A persistent criticism of the clean and drinking water state revolving loan funds is the lack of baseline comparisons available to measure the actual effectiveness of expenditures. States have begun to address this and other issues related to performance measuring including requiring estimates of pollutants removed before a project is approved as well as insist projects come with monitoring and evaluation components. Regardless, the drinking water loan funds have consistently scored a positive return on investment. According to a 2009 report, for every dollar spent by Congress on DWSRF, a \$1.82 was realized on the local end. For every dollar spent by states, a return of \$5.50 was realized.

**Therefore,** the Mississippi River Cities and Towns Initiative mayors ask Congress to make no cuts to the Drinking Water and Clean Water State Revolving Funds, and provide \$2.35 billion to the Funds, as it did in FY 2015.

### ***Fund the Pre-Disaster Mitigation Program at the President's request of \$200 million***

**The Issue:** The Federal Emergency Management Agency's Pre-Disaster Mitigation (PDM) program effectively reduces threats to Mississippi River Valley populations and structures at risk by funding preparation in advance of natural disasters, while also reducing the River region's reliance upon Federal post-disaster recovery funds. PDM provided over \$70 million in pre-disaster planning and mitigation to 39 states and territories in 2011, saving money by investing in disaster preparation, when every dollar spent on disaster mitigation yielded four dollars in benefits. We applaud the Administration's renewed support for the value of PDM as a program that protects our communities and makes our economies more resilient.

**Therefore,** the Mississippi River Cities and Towns Initiative mayors call upon Congress and the Administration to preserve and fully fund the Federal Pre-Disaster Mitigation Program at the President's FY 2016 requested level of \$200 million.

Further, the Mayors applaud the Administration's support of the National Flood Insurance Program Risk Mapping at a level of \$400 million. This proposal represents an increase of \$184 million over current funding levels. According to the President's budget statement, \$24 billion has been incurred in debt to the U.S. Treasury over the last ten years due to on-going natural disasters. The statement predicts that losses per policy will continue to grow as climate disruption worsens.