

**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS**

COMPLETE STATEMENT OF

**MR. JAMES DALTON
DIRECTOR OF CIVIL WORKS**

BEFORE

**SUBCOMMITTEE ON INTERIOR, ENERGY AND ENVIRONMENT
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
UNITED STATES HOUSE OF REPRESENTATIVES**

ON

Examining the U.S. Army Corps of Engineers

March 6, 2018

Mr. Chairman and Members of the Subcommittee:

I am honored to testify before you today on the U.S. Army Corps of Engineers (Corps) and approaches to enhance project delivery and optimize communication and interaction with local communities where it conducts its work and projects.

The U.S. Army Corps of Engineers has played a significant role in the development of the Nation's water resources. The Civil Works program of the Corps has three main missions: commercial navigation, flood and storm damage reduction, and aquatic ecosystem restoration. In this regard, the Corps works with our Nation's coastal ports to maintain their channels, operates and maintains the inland waterways, supports State and local flood risk management activities, works to restore significant aquatic ecosystems, and operates and maintains multipurpose dams, as well as the reservoirs behind them. There are about 250 million day-visits a year for recreation at Corps lands and reservoirs, making the Corps one of the top Federal recreation providers.

The infrastructure that the Corps maintains includes 13,000 miles of coastal navigation channels (including the channels of the Great Lakes), 12,000 miles of inland waterways, 715 dams, 241 locks at 195 navigation sites, 14,700 miles of levees, and hydropower plants at 75 locations with 353 generating units. These projects help provide risk reduction from flooding in our river valleys and along our coasts, facilitate the movement of approximately two billion tons of waterborne commerce, and provide up to 24 percent of the Nation's hydropower.

The Corps constructed much of this infrastructure in the first half of the twentieth century and dedicates a significant amount of its resources to maintain the key features of this infrastructure. The traditional Civil Works approach to constructing and maintaining these projects is not sustainable. The Corps estimates that it could take over 100 years for the Corps to construct all currently authorized Civil Works projects under the current approach.

The Corps continues to work on policy and administrative changes that can improve infrastructure delivery. More specifically, we are looking internally at our organization, authorities, policies, regulations and procedures in order to identify opportunities for increased efficiency and effectiveness. This will include efforts to reduce redundancy and delegate authority for decision making to the most practical and appropriate level.

For example, Section 14 of the Rivers and Harbors Act of 1899, as amended, and codified in 33 USC 408 (Section 408) provides that the Secretary of the Army may, upon the recommendation of the Chief of Engineers, grant permission to other entities for the permanent or temporary alteration or use of any Corps Civil Works project. The Corps has implemented the following improvements to the Section 408 review process: delegation of Section 408 decisions to the lowest level possible (resulting in more than 95% of Section 408 decisions being made at the Corps district level) and further clarifying when Section 408 permission is required, when Section 408 permission is not

required, and when the requirements of Section 408 may be met by another Corps process and/or authority (resulting in the reduction of redundancies).

Similarly, the Corps continues to make significant progress in the Regulatory program. Section 1134 of the Water Infrastructure Improvements for the Nation Act (WIIN) 2016 amended Section 2040 of the Water Resources Development Act of 2007 and directed the Corps to research, develop, and implement an electronic system to allow for the electronic preparation and submission of applications for permits and requests for jurisdictional determinations. Currently the Corps accepts electronic submission of applications or jurisdictional determination requests via email and the application form is a fillable PDF available on Corps District websites. The information received helps the Corps track the number and type of applications, as well as status and completion of reviews. The Corps will continue to explore if additional automation advances could make the process more streamlined.

The Corps recognizes the importance of establishing a “one federal decision” structure for environmental reviews with the goal of shortening environmental timelines to two years on average while still protecting the environment. In particular, we appreciate the need to eliminate redundant and unnecessary reviews, concurrences and approvals, as well as the importance of firm deadlines to complete reviews and make decisions. As a member of the Federal Permitting Improvement Steering Council (Permitting Council), which carries out the statutory responsibilities identified in Title 41 of the Fixing America’s Surface Transportation Act (FAST-41), the Corps is committed to work with fellow Council members in support of the goals of FAST-41 to improve the timeliness, predictability, and transparency of the Federal environmental review and authorization process for covered infrastructure projects. In addition, as a Council member, we have committed to incorporate the objectives of FAST-41 and Executive Order (EO) 13807 “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects” into the Corps directives, manuals, policies and plans, as applicable and to the extent practicable.

The Corps focuses on work that provides the highest economic, environmental, and safety returns to the Nation. The Corps also operates and maintains water resources infrastructure that may no longer meet its authorized purposes or for which the needs of the Nation have changed. As such, we are conducting studies – there are currently five ongoing studies - to ascertain the viability of deauthorizing projects and removing them from the Corps inventory. Section 216 of the Flood Control Act of 1970 allows the Corps to study completed projects or their operation when found advisable due to significantly changed physical or economic conditions.

The way that we use our water resources can affect the Nation’s economy, its environment, and public safety. The Corps stands ready to help in addressing the water resources challenges of the 21st Century. Thank you, Mr. Chairman and Members of Subcommittee. This concludes my statement. I look forward to answering any questions you or other Members of the Committee may have.



James C. Dalton, SES

Director of Civil Works



James C. Dalton serves as the Director of Civil Works, Headquarters, U.S. Army Corps of Engineers (USACE) in Washington, D.C. In this position, he leads, manages and directs the policy development, programming, planning, design, construction, operation, and maintenance activities of the Army

Civil Works Program, a \$6 billion annual program of water and related land resources of the United States, and oversees the work of over 25,000 civilian employees. He also represents the USACE in the United Nation's Advisory Board High-Level Experts and Leaders Panel on Water and Disasters, and serves in several national and international water resources Committees.

Mr. Dalton was selected to the Senior Executive Service in January 2005. From May 2007 until August 2016 he was Chief of USACE's Engineering and Construction (E&C) Division, responsible for policy, program, and technical expertise in the design and construction programs for the U.S. Army, Air Force, Department of Defense, other Federal agencies, and over 60 foreign nations. He also served as the Corps' South Atlantic Division and South Pacific Division Regional Integration Team (RIT) team leader, USACE Climate Change Adaption Committee Chair, and leader for USACE on Resilience.

Mr. Dalton served as the Regional Business Director for USACE's South Atlantic Division in Atlanta, Georgia from July 2005 to May 2007. He was Director of Business Management for USACE's Gulf Region Division in Baghdad, Iraq from 13 January to 31 July 2005, leading the Programs and Project Management organization. Mr. Dalton served as Deputy District Engineer for Programs and Project Management Division of USACE's Alaska District, Anchorage, Alaska from 2001 until January 2005. There he was responsible for the execution of the district's military, civil works, environmental interagency and international support programs and projects for the Army, Air Force, Department of Defense and other Federal, State and local agencies in Alaska.

From 1999 to 2001, he served as the Deputy District Engineer for Programs and Project Management Division and Chief, Ministry of National Defense/Host Nation Liaison of USACE's Far East District in Seoul, Korea, where he provided leadership and oversight of a large military construction program. From 1997 to 1999, he was the chief and senior in-country representative for the Corps' office in Egypt.

Mr. Dalton is a native of North Carolina and has been employed by the U.S. Army Corps of Engineers since 1978. After a short period of employment with the Environmental Protection Agency in Atlanta Georgia, he joined the Corps' Wilmington District in Wilmington, North Carolina as a cost engineer after completion of the training program.

Mr. Dalton earned his bachelor's degree in architectural engineering in 1978 from North Carolina Agricultural & Technical State University in Greensboro, N.C. He was selected for long term training and

attended North Carolina State University where he earned his master's degree in civil engineering in 1992. Mr. Dalton is a registered professional engineer in Virginia.

Mr. Dalton was awarded the Excellence in Construction Management Award in 1995, the nationally recognized Black Engineer of the Year Award in 2007 for Career Achievement, and the 2009 Greater Los Angeles African American Chamber of Commerce Public Service Award. Mr. Dalton also has received numerous performance awards including the Superior Civilian Service award in 2001 for his work in the Far East District and the Meritorious Civilian Service Award for work in Iraq in 2005. He received the U.S. Government's Meritorious Presidential Rank Award in 2009 and the Distinguished Presidential Rank Award in 2014.