

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

**TESTIMONY OF**

**BRIGADIER GENERAL JOHN R. MCMAHON  
COMMANDER, NORTHWESTERN DIVISION**

**BEFORE**

**COMMITTEE ON INDIAN AFFAIRS**

**UNITED STATES SENATE**

**FACING FLOODS AND FIRES – EMERGENCY PREPAREDNESS FOR NATURAL  
DISASTERS IN NATIVE COMMUNITIES**

**JULY 21, 2011**

## **INTRODUCTION**

Mr. Chairman and Members of the Committee, I am Brigadier General John R. McMahon, Commander of the Northwestern Division of the U.S. Army Corps of Engineers (Corps). I am pleased to be here today to testify on the matter of emergency preparedness for natural disasters in native communities, particularly as it relates to facing floods. The year 2011 has been an extremely challenging time for the nation, in terms of tornados and flooding across multi-state areas. Along with other federal agencies, Tribes, States and numerous local entities, the Corps has a multitude of response activities ongoing to best mitigate the public risk from these multiple and inordinate severe weather events.

In regards to response, the Corps has authority under Public Law (PL) 84-99, Flood Control and Coastal Emergencies (FCCE) (33 U.S.C. § 701n) (69 Stat. 186), for emergency management activities. Under PL 84-99, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities including disaster preparedness, Advanced Measures, emergency operations (Flood Response and Post Flood Response), rehabilitation of flood control works threatened or destroyed by flood, protection or repair of federally authorized shore protective works threatened or damaged by coastal storm, and provisions of emergency water due to drought or contaminated source.

## **RESPONSE ACTIVITIES**

Corps emergency assistance under PL 84-99 during a flood event is temporary in nature to meet an immediate threat and may only be undertaken to supplement non-federal efforts. The assistance is to mitigate risk to life and public safety by providing protection to critical public infrastructure against flood waters. Therefore, the use of PL 84-99 precludes the protection of private residences or other developments unless such protection must be afforded to protect critical public facilities and infrastructure within the area. Tribes and States must commit all available resources such as supplies, equipment, funds and labor as a general condition to receive Corps assistance. Furthermore, Corps emergency efforts are not intended to provide permanent solutions to flood risks. Therefore, all flood fight material removed at the conclusion of a flood event is the responsibility of the respective Tribe or State. .

To request assistance from the Corps, the Tribe may come directly to the Corps with a request that includes a detailed assessment of the resources committed, the current actions in which the Tribe is engaged, the type of assistance the Tribe is requesting (technical or direct), a point of contact, and specific details with regard to what the Tribe is exactly looking for in the way of assistance. Tribes may also request assistance from the Corps through appropriate state emergency operation centers.

## **PREPAREDNESS**

The Flood Control and Coastal Emergency appropriation account funds preparedness with regard to emergency response to natural disasters, flood fighting and search-and-rescue operations, and rehabilitation of flood control and hurricane protection structures. Disaster preparedness activities include coordination, planning, training, and conducting response exercises with local, state, and federal agencies. Prior to spring flooding, flood packets are sent to Tribes in multiple Corps Districts. Flood packets contain information on Corps authorities under PL 84-99, sample request letters, information on innovative flood fight equipment, a sandbag brochure, and other related flood fight information. Information is also placed on the Corps' public internet site and a 24-hour emergency operations phone line is distributed. District Commanders, Tribal Liaisons, and Emergency Management staff personally meet with interested Tribes to discuss Corps authorities under PL 84-99, share lessons learned from previous flood events, conduct tabletop exercises, review sandbagging techniques, and strengthen the relationship between the Corps and the tribes.

## **COORDINATION**

The Corps coordinates very closely with all federal, Tribal, and state partners. Although Tribes can come directly to the Corps for assistance, close coordination also occurs with appropriate state emergency management offices. This year, the Corps used a joint information center to coordinate among all response agencies and transparently communicates to all affected parties to include Tribes. The Corps has also participated in national workshops held by the Tribal assistance coordination group which provides federal, tribal, state, and local agencies an opportunity to plan for natural disasters in Native communities, to learn how to work with each other during a natural disaster in Native communities, and to learn about partner agency capabilities, resources, and responsibilities.

## **2011 Operations**

This year, twenty-three Tribes located within flood prone areas of the Northwestern Division were visited to prepare for the upcoming flood season. From February through July, the Corps responded to requests from seventeen Tribal Nations located across the Columbia and Missouri river basins by providing over 300,000 sandbags, over eighty rolls of plastic, numerous one-ton sandbags, and utilizing Crisafulli pumps to protect critical tribal infrastructure from flood threats. The Corps was also engaged with numerous federal, state, and Tribal agencies to coordinate its flood fight response. This resulted in multiple partners understanding the Corps' capabilities and PL 84-99 authorities, which further helped in the sharing of information with Tribal leaders. Additionally, in North Dakota, the Corps was provided access to the Bureau of Indian Affairs (BIA)/Department of Interior (DOI) communications network in an area with limited availability, to help ensure reliable communications. Staff attended and

participated in multiple briefings with regional, state, and Tribal leadership, attended a variety of public meetings, and also reached out to Tribal members via tribal talk radio.

## **CONCLUSION**

Finally, I would like to emphasize that the Corps fully recognizes the Federal Government's trust responsibilities to the Tribes. Tribal Liaisons and other Corps staff have been, and continue to be, deployed, working directly with Tribes to ensure that the Corps is fully aware of and understands the issues and concerns with regard to flooding events. The Corps will continue to engage Tribes in this manner to be responsive to needs and requests for assistance. As flooding events occur, coordination efforts are a priority and coordination will occur through to the conclusion of such events.

Mr. Chairman, I appreciate having the opportunity to participate in this hearing. This concludes my testimony. I would be pleased to answer any questions you or the committee may have.