



The Honorable Peter DeFazio

Chair

Transportation and Infrastructure Committee

The Honorable Sam Graves

Ranking Member

Transportation and Infrastructure Committee

June 7, 2022

Dear Chair DeFazio and Ranking Member Graves,

On behalf of National Audubon Society and our 1.8 million members, we thank you for your continued bipartisan commitment to advancing the Water Resources Development Act of 2022 (WRDA 2022). Audubon works to protect the places birds need, today and tomorrow, with our network of over 460 affiliated chapters, 23 state and regional programs, and 41 sanctuaries and nature centers across the country. WRDA 2022 yet again offers an important tool for directing investment in the restoration of rivers and wetlands, building climate resilience, and ensuring fair and equitable distribution of federal resources across the United States. We congratulate your committee for a successful markup vote earlier this month.

The Army Corps can play a pivotal role in increasing and normalizing the use of natural infrastructure and nature-based solutions to address the challenges brought on by climate change. The Army Corps' ecosystem restoration efforts provide important lessons that demonstrate the value of replicating natural ecosystem functions. There remains an opportunity, and a need, to rethink flood mitigation and navigation projects to increase the focus on climate resilience and natural infrastructure in other Army Corps mission areas. While a number of new authorities in WRDA 2018 and WRDA 2020 enabled and encouraged the broader use of natural infrastructure in Army Corps projects, there is a need to accelerate the pace of project execution and policy interpretation that incorporate natural infrastructure. We fully support infrastructure investments and restoration projects that not only protect birds and provide wildlife habitat, but prioritize those communities at the most risk from climate change and who are facing economic disadvantages due to historic injustice.

As your committee and dedicated staff move WRDA 2022 forward for House floor action and eventual movement with the Senate Environment and Public Works (EPW) bill, Audubon shares our support for the following provisions in the Transportation and Infrastructure Committee (T&I) bill and urge that they remain in a final WRDA bill.

- Audubon is pleased to see increases in the federal cost-share for the Brandon Road Lock and Dam Project and the Lower Mississippi River Comprehensive Management Study. We were pleased to see the Sense of Congress amendment, which includes the Mississippi River Gulf Outlet Ecosystem Restoration Plan at full federal expense, too. Audubon supports these increases and continues to urge full federal cost-share for all three projects:

- **The Brandon Road Lock and Dam project** will protect the Great Lakes watershed from invasive carp. These fish lack natural predators in the U.S., allowing them to outcompete native fish and destroy wetlands in the Great Lakes, which would cause lasting negative impacts on birds like Black Terns and on surrounding communities and habitats.
- **The Mississippi River Gulf Outlet Ecosystem Restoration Plan** will restore critical habitat and protect vulnerable communities from hurricane storm surge and flooding events in Louisiana. This human-made navigation channel destroyed tens of thousands of acres of protective wetlands in the Greater New Orleans area and contributed to catastrophic storm damage during Hurricane Katrina. Congress directed the Corps to close the channel and conduct a study and subsequent restoration plan to restore habitat and protect communities nearby from storm surge and flooding. While Audubon is pleased to see that full federal funding for the project is acknowledged in the Sense of Congress Manager's Amendment, we urge the House to add it into the base text of the bill to ensure more enforceable language and avoid inadequate Army Corps interpretation. This project is critical to the restoration and protection Southeastern Louisiana communities and habitat, and further undue delay would be extremely unfortunate for that region.
- **The Lower Mississippi Comprehensive Management study**, authorized in WRDA 2020, will take a fresh look at the management of the Lower Mississippi River, which has seen historic flooding in recent years, devastating delicate ecosystems such as the Lake Pontchartrain Basin and Mississippi Sound. The study covers multiple states that would need to split the cost with the Army Corps – a difficult task to efficiently accomplish. Audubon is thrilled to see that the House bill directs the Federal Partner to cover the full cost, in order to swiftly advance the study that will significantly benefit not only the ecosystems, communities, and birds along lower Mississippi River states, but the nation as a whole.
- We support the expedited completion of the Great Lakes Coastal Resiliency Study. Thank you for including this.
- Audubon supports continued focus on Everglades Restoration in the bill. The T&I WRDA bill includes several project authorizations for the Everglades and we support efforts to build upon the positive additions from WRDA 2020. Two years ago, WRDA authorized the Loxahatchee River Watershed Restoration Project and recommitted to the Everglades Agricultural Area Reservoir (EAA Reservoir) as part of the Central Everglades Planning Project (CEPP). The EAA Reservoir is the single most important project for benefitting multiple parts of the Everglades; once completed, it will store freshwater and slowly discharge water to the fragile coastal estuaries east and west of Lake Okeechobee.
 - In addition, the T&I bill includes expedited completion of the Lake Okeechobee Watershed Restoration project, the Western Everglades ecosystem restoration project, and the post-authorization change report for the Indian River Lagoon ecosystem restoration project. These projects are integral pieces to the continued restoration of the Everglades and we support their inclusion in WRDA 2022.

- Audubon also supports provisions that modify the makeup of the South Florida Ecosystem Restoration Task Force and provisions that clarify when the non-federal sponsor's 50% contribution is assessed.
- While continuing to advance progress on the South Florida ecosystem restoration program and the Comprehensive Everglades Restoration Plan, we also support studying options for increasing climate resilience throughout the footprint of the Central and South Florida Flood Control Project, and to investigate options for additional projects that could benefit coastal estuaries on Florida's east and west coasts. These efforts however, must not delay or interfere progress on Everglades restoration.
- As mentioned in my testimony earlier this year to the Water Resources and Environment Subcommittee, water level management can produce highly effective habitat restoration on the Upper Mississippi River at a fraction of the cost of other types of restoration actions. The Corps has documented that modest modifications to lock and dam operations, known as growing season drawdowns, can produce significant and long-lasting benefits without any adverse impact to navigation. Reducing water levels behind a lock and dam by just one to two feet during the growing season can expose thousands of acres of mudflats, creating optimal conditions for aquatic plants, fish, and wildlife to flourish. The enhanced ecosystem can then process nutrients, trap sediment, and stabilize the shoreline all while maintaining the navigation channel. However, despite the demonstrated benefits of water level management and broad-based support for it, the Corps has resisted efforts to implement it more broadly in the Upper Mississippi River-Illinois Waterway Navigation System. To address this problem, Congress should provide the Corps with clear authority and direction to implement a routine and systemic water level management program while avoiding adverse impacts to navigation. The pilot project on water level management opportunities included in your bill is a helpful step forward.
- The T&I WRDA bill also includes an important western water natural infrastructure study, which will examine the effectiveness of changing hydrologic conditions, mitigating drought risk, and restoring aquatic ecosystem habitat, among others. Across the Western United States, federally-owned water-related infrastructure faces threats from climate change. Improved understanding of the utilization of both natural features and nature-based techniques can enhance and sustain critical infrastructure functions such as water storage and delivery. Audubon looks forward to the inclusion of natural infrastructure approaches through Corps programming.
- Finally, we joined a community letter signed by 25 conservation and outdoor recreation groups, which outlined a number of priorities for WRDA 2022. We encourage your Committee to continue reviewing those ideas that did not make it into WRDA 2022 and prioritize them for the next WRDA bill.

Audubon hopes that the House will add more of the Shoreline Health and Oversight, Restoration, Resiliency, and Enhancement Act (SHORRE Act) that was included in the EPW bill. The SHORRE Act provisions would restore our coasts and rivers, making the communities and birds that depend on these areas more resilient to climate change. In particular, Audubon hopes to see these SHORRE Act provisions included in the EPW bill also included on the floor or in conference to the House bill:

- Ensuring the Corps will continue to abide by critical federal laws like the Coastal Barrier Resources Act (CBRA) while providing financial relief to beach communities for beach renourishment projects. Some of the nation's most valuable coastal habitat is protected by CBRA, which has saved taxpayers billions of dollars in avoided storm impact and recovery costs. The SHORRE Act maintains the protections of the CBRA system while directing the Corps to pick up the tab for the cost of dredging sand for beach renourishment projects from areas that may not be the cheapest sources. This is a win-win solution for protecting important coastal habitat for birds and communities, while shielding beach towns from additional costs to access sand from alternative areas.
- Authorizing better federal cost-share agreements for historically disadvantaged and disproportionately vulnerable communities, including Tribal communities. These communities are directly impacted by climate change, especially those who live on the coast and on river floodplains, and these provisions will ensure they have access to federal programs that will help them fight climate change in their communities.

Audubon also urges the Committee to continue rejecting efforts to advance environmentally harmful projects, such as the One Lake/Pearl River Basin Demonstration Project or the Yazoo Backwater Area/Flood Reduction, Wildlife Habitat, and Water Quality Improvement Project. We were pleased to see the draft bill does not include these projects. Natural infrastructure alternatives should be pursued to address the longstanding flooding concerns in the regions these projects affect. Additionally, we urge you to reject provisions that would weaken environmental review and permitting requirements, such as requiring adoption of additional categorical exclusions, or that impose artificial time clocks on these processes. Comprehensive and transparent review processes that ensure that all stakeholder, including the public, are able to evaluate and respond to project proposals are essential to development and design of projects that meet the needs of communities and the environment.

Thank you,



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National Audubon Society