



National and
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The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
H-232, U.S. Capitol
Washington, D.C. 20515

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
S-230, U.S. Capitol
Washington, D.C. 20515

The Honorable Charles E. Schumer
Minority Leader
U.S. Senate
S-221, U.S. Capitol
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House
H-204, U.S. Capitol
Washington, D.C. 20515

December 8, 2020

Dear Speaker Pelosi, Leader McConnell, Leader Schumer, and Leader McCarthy,

The National Audubon Society applauds your commitment to advancing bipartisan water infrastructure legislation that is critical to restoring America's ecosystems, protecting wildlife habitat, and increasing the use of natural infrastructure. We appreciate the work of the Senate Environment and Public Works and the House Transportation and Infrastructure Members and staff to craft a 2020 Water Resources Development Act (WRDA). We applaud the bipartisan nature of this bill and urge swift passage through both chambers of Congress.

Audubon supports provisions in the 2020 WRDA bill that will benefit nationally important ecosystems and habitats that are critical to both communities and birds and other wildlife, including the following:

- Florida and the Everglades:
 - authorization for the Loxahatchee River Watershed Restoration Project, Martin and Palm Beach Counties for ecosystem restoration (Sec. 401 (5));
 - authorization for the Caloosahatchee River C-43, West Basin Storage Reservoir, Florida (Sec. 401 (7));
 - authorization for the Central and Southern Florida, Canal 111, South Dade project, Florida (Sec. 401 (7));
 - deauthorization of the Taylor Creek Reservoir and Levee in Upper St. Johns River Basin (Sec. 327);
 - provisions and authorization for \$25 million in appropriations to conduct a Harmful Algal Bloom Demonstration program (Sec. 128);
 - language prohibiting the deauthorization of Comprehensive Everglades Restoration Plan (CERP) projects (Sec. 301 (b)(1)(C)(ii));
 - provisions calling for invasive species risk assessment, prioritization, and management (Sec. 504);

- provisions on the Lake Okeechobee Regulation Schedule and clarifying that the Everglades Agricultural Area Reservoir is part of the CERP (Sec. 210 and 324); and
- deauthorization of the Big Cypress Seminole Indian Reservation Water Conservation Plan (Sec. 323).
- Louisiana Coast and Mississippi River:
 - project authorizations for the Houma Navigation Canal and the Baptiste 14 Collette Bayou project in Louisiana (Sec. 403);
 - requirements that the Corps report the status of ongoing restoration conducted by the Coastal Louisiana Ecosystem Protection and Restoration Task Force (Sec. 212); and
 - while we urged the Committees to conduct a Comprehensive Study of the entire Mississippi River system, Audubon supports the authorization of a Comprehensive Study of the Lower Mississippi River system, including the full \$25 million authorization. We further support that the study will be inclusive of flood management, ecosystem restoration, navigation, and other relevant components and includes the authorization of feasibility studies for Ama sediment diversion, Union freshwater diversion, increase Atchafalaya flow to Terrebonne, and Manchac Landbridge diversion. Finally, we support the requirement to investigate the inclusion of natural and nature-based features such as levee setbacks and stream and floodplain restoration.
- Great Lakes:
 - the Ecosystem Restoration Great Lakes and Mississippi River Interbasin Study– Brandon Road, Will County (Sec. 401 (5)); and
 - authorization for a Great Lakes coastal resiliency study (Sec. 211).
- Rio Grande:
 - reauthorization of the Rio Grande Environmental Management Program until 2029 (Sec. 318); and
 - changes to the San Juan-Chama Project; Abiquiu Dam (Sec. 337).
- Chesapeake Bay:
 - the Chesapeake Bay Environmental Restoration and Protection Program amendments, including the authorization of \$90 million.

Audubon also strongly supports provisions in the 2020 WRDA that will promote efforts to enhance community resilience to impacts from climate change and deploy nature-based approaches for reducing flood risks in communities. Specifically, Audubon supports the following provisions in the 2020 WRDA bill:

- Natural Infrastructure
 - Sec. 115 will ensure consistent cost-sharing for natural infrastructure projects by applying the same 35% non-federal cost share, including the cost of all lands, easements, rights of way, relocations, and disposal sites (LERRDs), as applied to nonstructural flood projects. Currently, the non-federal cost share for natural infrastructure projects can be as high as 50%. This updated cost-share for natural infrastructure projects will be consistent with federal law and Army Corps practice, and has wide support among local communities, environmental organizations, and hunting and angling organizations. These provisions will ensure that communities can deploy natural infrastructure solutions which often

provide more cost-effective options for reducing flood losses, while also delivering other economic, social, and environmental benefits – like increased recreational amenities, improved water quality, and enhanced habitats for birds and other wildlife.

- Sec. 114 will allow for development of natural infrastructure projects as part of the Corps continuing authorities program. This will help communities meet their flood control needs using nature-based approaches that enhance habitat for birds and other wildlife, provide recreational opportunities, and improve water quality.
- Sec. 116 will ensure that the Corps considers nature-based approaches for enhancing flood and storm resilience in feasibility studies and include an explanation of why natural infrastructure approaches are not recommended. We support this requirement to ensure that the Corps is considering a full range of options for enhancing flood resilience in communities, describing the long-term costs and benefits of different approaches, and ensuring the Corps-funded projects are providing the most sustainable and least costly protections for communities while improving public safety.
- Resiliency
 - Sections 111 and 113 will update planning guidance and require consideration of the best available science on effects of sea-level rise and inland flooding in the development of Corps projects and in the accounting of the long-term costs and benefits of a project. These sections will also provide the Corps with new authority to design and construct projects and consider natural infrastructure approaches to address repetitive flood losses that will increase with climate change.
- Beneficial Use of Dredge Materials (BUDM)
 - Sec. 125 will renew the Congressional commitment to BUDM by establishing a national policy, expanding the BUDM pilot program to 35 projects (including one thin layer placement project), requiring the Federal Standard be calculated in consideration of the full economic and environmental benefits of reuse rather than disposal of valuable sediments, and requiring five-year management plans to coordinate and direct use of dredged materials to beneficial projects. This provision will increase and improve use of dredged materials for ecosystem restoration and nature-based flood risk reduction projects by accounting for the environmental and social benefits of use as opposed to disposal of valuable and increasingly scarce dredged sediments.
- Economically Disadvantaged Communities
 - Sec. 117 and 118 will waive cost share and provide important support to produce feasibility studies to assess measures to reduce flood risks in economically disadvantaged and rural communities. Federal cost sharing and benefit-cost ratios are often a barrier to socially vulnerable communities accessing Army Corps programs to study and implement projects to reduce storm and flood risks. Audubon supports these measures that will increase access to flood risk reduction planning in underserved communities by waiving the non-federal study cost share for feasibility studies for socially vulnerable communities. These changes will help to ensure that the most at-risk communities have the resources needed to evaluate flood risk reduction measures, including environmentally beneficial natural infrastructure projects that can enhance flood resilience, while also

improving water quality, public health, and important habitats for birds and other wildlife.

- Benefit Cost Analysis
 - Sec. 110 will require an update to the Principles, Requirements and Guidelines (PR&G) to ensure that the Corps is fully accounting for the regional economic development, environmental quality, and other social benefits that can be delivered by a project. We strongly support requirements that the Corps seek public comment prior to adoption of the PR&G and review and update the PR&G every five years.
- Project Consultations
 - Sec. 112 will provide much-needed direction to the Corps requiring consultation with communities of color, economically disadvantaged communities, and Tribal communities and requiring updates to Corps policies, guidance, and regulations to ensure that the Corps is considering the environmental justice and disproportionate impacts to communities from Corps projects and identifying appropriate alternatives to reduce or avoid impacts.
- Other Studies and Measures
 - Section 223 will direct the Corps to complete many critical reports that were called for in previous WRDA legislation, but remain unfinished. We appreciate Congress directing the Corps to finish incomplete reports that are critical for improving the Corps processes for assessing and implementing water resources projects.

Audubon thanks you for your leadership in advancing a 2020 WRDA. The policy updates and authorizations for important ecosystem restoration projects will ensure that communities are getting the assistance they need to build natural defenses for enhancing climate resilience in ways that will benefit people, birds, and other wildlife. The legislation makes common-sense changes that will increase the flexibility of the Corps to deliver projects that return social, environmental, and economic benefits for communities across the nation. Audubon looks forward to continuing to work with you to advance these and other important infrastructure priorities in the future.

Thank you,



Sarah Greenberger
Interim Chief Conservation Officer
Senior Vice President, Conservation Policy
National Audubon Society

CC: The Honorable John Barrasso, Chair, Environment and Public Works
The Honorable Tom Carper, Ranking Member, Environment and Public Works
The Honorable Peter DeFazio, Chair, Transportation and Infrastructure
The Honorable Sam Graves, Ranking Member, Transportation and Infrastructure