

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
H-232, 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 Mitch McConnell
Majority Leader
U.S. Senate
S-230, U.S. Capitol
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The Honorable Kevin McCarthy
Minority Leader
U.S. House
H-204, U.S. Capitol
Washington, D.C. 20515

December 8, 2020

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

We appreciate the hard work of the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works members and their staff in crafting S. 1811, the Water Resources Development Act of 2020. We applaud the bipartisan and inclusive process of developing this bill, and we support the passage through both chambers of the following provisions.

Section 110: This section directs the Army Corps to issue final agency procedures for the Principles, Requirements, and Guidelines (PR&G). These new guidelines would serve as the basis for the Corps' evaluation of project benefits and costs. We strongly support the section's requirement that the Army Corps carry out a public comment period prior to the release of PR&G guidelines and review its PR&G guidelines every five years.

Section 111: This provision amends the Corps' Floodplain Management Service program to provide more robust technical assistance, including assistance that would help to avoid repetitive flooding impacts. The provision also prioritizes technical assistance to economically disadvantaged communities and communities subject to repetitive flooding. Assistance rendered by the Corps' Floodplain Management Service program would be provided at full federal expense. We strongly support this provision's ability to increase the resiliency of communities.

Section 113: This provision directs the Corps to update current guidance related to sea level rise and inland flooding and ensure future scenarios are based on the best available science and included in any feasibility study. We strongly support utilizing best-available science to ensure sea level rise and inland flooding is integrated into our planning and investments.

Section 114: Section 114 would allow for natural or nature-based infrastructure projects to be considered for funding under the Section 205 continuing authorities program. This would help communities meet their flood control needs while also providing them with substantial co-benefits such as enhanced fish and wildlife habitat, enhanced recreational opportunities, and improved water quality.

Section 115: This provision would ensure consistency in cost-sharing requirements for natural infrastructure projects. The non-federal cost share for nonstructural flood projects is

currently 35% of total project costs, including the costs of all lands, easements, rights of way, and disposal sites (LERRDs). However, the current non-federal cost share for natural infrastructure projects can be as high as 50% of total project costs. This update to the cost-share for natural infrastructure projects would be consistent with federal law, Army Corps practice, and is widely supported by the conservation, hunting, angling, and environmental communities.

Section 116: This provision requires each feasibility study for a flood or storm damage reduction project to include a summary of any nature-based features considered, and an explanation if nature-based features are not recommended. We support this requirement to encourage a more complete evaluation of nature-based features as part of a feasibility study, and to describe the long-term costs and benefits of such approaches, given that these measures can provide sustainable and less costly protections to communities while also improving public health and well-being.

Section 118: Section 118 establishes a pilot program to produce 10 feasibility studies at full federal expense for flood risk reduction in economically disadvantaged communities and rural communities. We support Section 118, which would provide critical assistance to communities suffering from flooding events and in need of a solution, but without the resources to meet the required non-federal cost-share.

Section 125: Section 125 renews the Congressional commitment to beneficial use of dredged material (BUDM) obtained from Corps projects by establishing a “national policy” on BUDM that a) expands the BUDM pilot program from WRDA 2016 (Sec. 1122), b) requires the Federal Standard to be calculated with consideration of the full economic value of dredged sediment, and c) requires five year dredged material management plans from all USACE districts. The section also explicitly allows for the beneficial use of dredged material at federal expense if the incremental costs are reasonable based upon consideration of the environmental and flood risk reduction benefits of such use. This encourages local communities and Corps districts to consider how to align dredging and sediment placement projects and will benefit natural infrastructure projects. We support this effort to improve the use of dredged material for coastal restoration and natural infrastructure risk reduction projects.

Section 223: Many critical reports from recent WRDA bills remain unfinished, and we appreciate Congress directing the Corps to finish incomplete reports under WRDA 2014, 2016, or 2018.

Thank you for your continued commitment to conservation, and we are ready and willing to help further in this important process.

Respectfully submitted,

American Rivers
American Sportfishing Association
American Shore & Beach Preservation Association
Backcountry Hunters & Anglers
Coastal States Organization
Environmental Defense Fund
National Audubon Society
National Marine Manufacturers Association
National Wildlife Federation

National Parks Conservation Association
The Nature Conservancy
Theodore Roosevelt Conservation Partnership

Cc: Chairman Barrasso, Chairman DeFazio, Ranking Member Carper, and Ranking Member Graves