

Legislative & Federal Agency Agenda: 2020

I 2020 Vision for our Coast: infrastructure, restoration and research funding

In an era of unprecedented coastal hazards stemming from a changing climate and developed coastline, the federal government is woefully underfunding coastal resilience. A clear vision for our coast includes funding new infrastructure, restoration of ecological systems, opportunities to move vulnerable infrastructure and applied research. ASBPA's 2020 vision includes:

Congress should:

A) Invest in coastal resilience to protect communities.

Investing in resilience is more cost effective than paying for rebuilding. Resilience funding should be directed toward natural infrastructure (including beaches, dunes and wetlands) and rebuilding the most vulnerable infrastructure in less risky areas. This will also improve communities' ecology, recreation opportunities and economy.

- **Any major infrastructure legislation should explicitly allow funding to be used for coastal, nature-based infrastructure** (such as beaches, dunes and wetlands).
- **Provide adequate appropriations for key coastal programs.**

There are many important federal coastal programs. In particular, Congress should appropriate:

- **\$75 million for USACE Shore Protection.**
- **\$30 million for USACE Regional Sediment Management (RSM) and Beneficial Use of Dredge Material (BUDM).**
- **\$46 million for USGS Coastal and Marine Geology Program (CMGP).**
- **\$30 million for NOAA Title IX/Coastal Resilience Grants**
- **\$87 million for NOAA Coastal Management Grants.**
- **\$5.7 million for BOEM's Marine Minerals Program (MMP).**

B) Provide long-term coastal funding from coastal and offshore development

The need for coastal restoration and protection will continue to grow as sea levels rise and development in the coastal zone increases. Regular and dedicated funding for coastal protection should be tied to new development, in particular any industrial development.

- Increase existing sources of dedicated funding for coastal protection tied to offshore energy production – such as coastal **funding provided in the Gulf of Mexico Energy Security Act (GOMESA)**
- Ensure lease fees for any new offshore energy production – whether renewable or fossil fuel – should (in part) be dedicated to coastal protection.
- Offer **grants and loan or revolving fund options for natural infrastructure** and coastal adaptation.

C) Pass a Water Resources Development Act (WRDA)

Congress must continue a two-year cycle for passing WRDAs and should pass a WRDA in 2020. That bill should include policies to:

- Require USACE to **include a full economic valuation of sediment** when determining the federal standard.
- Require **five-year sediment management plans** from each USACE district.
- **Modify the USACE Benefit-Cost-Ratio** to calculate full project benefits.

Federal agencies should:

A) Expedite appropriated funding going to coastal projects.

OMB can delay projects by withholding USACE funding that has been authorized and appropriated.

- OMB and USACE should establish a transparent process to identify the funding status of every active coastal project in the USACE workplan.
- Any funds appropriated by Congress for coastal projects must be used for their intended purpose or related coastal projects.

B) Request coastal funding commensurate to the challenges faced.

Although Congress ultimately funds the government, funding is established by what agencies' request.

- **Coastal restoration, resilience and research programs at NOAA, USGS, BOEM, USWFS and USACE should, at minimum, be maintained at FY20 funding levels.**

II 2020 Vision for our Coast: Getting Projects Completed

Coastal projects that enhance resilience need to be completed as quickly as possible. As coastal climate threats increase, doing nothing or even moving projects too slowly increases communities' vulnerability. A clear vision for resilience means collaborative, risk-informed decision-making that prioritizes action over inaction and reframing regulatory standards to tolerate short-term environmental impacts for long-term environmental gains. ASBPA's 2020 vision for coastal resilience projects includes:

Congress should:

A) Fund regulatory agencies

Recent increases in funding for coastal restoration, including supplemental appropriations, Gulf Coast funding, and private funding for resilience, have not been matched by increases to regulatory agencies, leaving projects delayed due to under-staffed agencies.

- **Increase appropriations to USACE, NMFS, USFWS and EPA regulatory programs**

Federal agencies should:

A) Expedite regulatory and permitting timeframes

Regulations around coastal projects are critical to protecting species, clean water and other ecosystem functions. However, implementation of regulations can be inefficient and duplicative. In order to improve regulatory timeframes:

- **To the extent practical, federal agencies should implement the One Federal Decision approach established by E.O. 13807 for coastal projects:**

- All commenting regulatory agencies should participate in a pre-application meeting, and develop and adhere to a project timetable;
- All review agencies prepare a single EIS and sign a single Record of Decision (ROD).
- **NMFS should reduce bureaucratic delays in its approval process:**
 - NMFS scientists should engage in early scoping meetings;
 - Department of Commerce should allow NMFS project biologists and regional council to make final decisions.
- **USFWS and USACE should collaborate to develop programmatic biological opinions for beach nourishment projects regionally, where appropriate.**
- In the absence of sufficient federal funding, **NMFS, USFWS, and USACE should** seek out collaborative agreements with state agencies to **allow the state to fund a regulatory staff position within the permitting agency.**

B) Advance beneficial use of dredged material (BUDM) and RSM

Often the cheapest way to restore a beach or coastal system is to use the dredged material from a navigation project, however regulatory constraints based on the understanding of dredge material as a pollutant can delay projects and increase cost. To improve use of BUDM and RSM:

- **USACE should implement the 10 BUDM pilot projects chosen under Sec. 1122 of the WIIN Act;** choose an additional 10 as authorized in Sec. 1130 of WRDA'18; and expand the use of BUDM beyond the pilot program.
- **USACE should calculate the full and potential value of sediment in calculating the Federal Standard.**
- **USACE should clarify regulations for thin layer placement of BUDM to acknowledge short term impacts can be offset by long term benefits.**

C) Collaborate with state agencies and stakeholders on project implementation

Coordination between state agencies, stakeholders, industry and federal regulatory agencies may take time, but lack of coordination leads to worse projects that face opposition.

- **Federal and state** agencies should participate in a pre-application meeting, and develop and adhere to a project timetable;
- USACE should demonstrate that coastal resource management **science is the basis for decisions;**
- **Engage private industry** when USACE does not have the personnel and/or local expertise to complete a design project.

D) Review regulations to help advance coastal resilience.

The administration and federal agencies should maintain regulations that will help communities become more resilient and should not implement reforms that will hinder coastal resilience.

- Regulations for coastal development or restoration should **consider future conditions** and/or sea level rise.
- The **Coastal Barrier Resource Act (CBRA)** should allow developed communities *adjacent* to CBRA-zone properties to improve their resilience in the most efficient manner possible so long as that does not undermine the purpose of CBRA.

III 2020 Vision for Coast: regional resilience

Coastal vulnerability doesn't end with political boundaries. Improving regional resilience will take science and policy working together across state lines and collaboration across jurisdictions. ASBPA's 2020 vision for regional coastal resilience includes:

Congress should:

A) Authorize and fund USACE regional coastal studies

The North Atlantic Coast Comprehensive Study (NACCS), South Atlantic Coast Study (SACS) and state level studies in MS, LA and TX are guiding coastal planning along the entire East and Gulf coasts. Other regions should benefit from similar regional studies. Congress should:

- Fund a **Great Lakes Coastal Resilience Study (GLCRS)**;
- Authorize a **Pacific Coast Resilience Study**.

Federal agencies should:

A) Restore the Gulf Coast

Following the 2010 Deepwater Horizon oil spill, billions of dollars have become available to restore the Gulf Coast.

- **Natural Resources Damage Assessment (NRDA) trustees and the RESTORE Council** should ensure funding that they control is **spent on improving the environmental health of the coast, coordinate project evaluation and selection with approved state plans and implement projects cooperatively** with state agencies to maximize use of funds.

B) Advance the North Atlantic Coast Comprehensive Study (NACCS)

- **USACE should finish construction on the remaining authorized projects** that were funded by the "Sandy Supplemental" appropriation.

C) Complete the South Atlantic Coastal Study and begin a Great Lakes Coastal Resilience Study

- **USACE South Atlantic Division (SAD) should engage local communities and coastal stakeholder** in assessing vulnerability and resilience in the South Atlantic region
- **OMB should include the GLCRS as a "new start" and fund the study.**

D) Begin assessing need for Pacific Coast Resilience Study.

- Get each district with Pacific Coast jurisdiction (including Honolulu) to determine time and funding needs to participate in a region-wide resilience and sediment management study.

Agency acronyms:

BOEM – Bureau of Ocean Energy Management
NOAA - National Oceanic and Atmospheric Agency
NMFS - National Marine Fisheries Service
OMB – Office of Management & Budget
USACE - U.S. Army Corps of Engineers
USFWS - U.S. Fish & Wildlife Service
USGS - U.S. Geological Survey



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