

The Honorable John Barrasso  
Chairman  
Committee on Environment & Public Works  
United States Senate  
410 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Thomas Carper  
Ranking Member  
Committee on Environment & Public Works  
United States Senate  
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The Honorable Peter DeFazio  
Chairman  
Committee on Transportation & Infrastructure  
United States House of Representatives  
2164 Rayburn House Office Building  
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The Honorable Sam Graves  
Ranking Member  
Committee on Transportation & Infrastructure  
United States House of Representatives  
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August 14, 2020

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

We appreciate your hard work in crafting the Water Resources Development Act of 2020. As Congress works to move a WRDA bill into the conference process and ultimately pass a bipartisan bill in 2020, we submit the following comments on the House and Senate Water Resources Development Act bills.

We support the following provisions in the House WRDA bill:

**Section 109:** 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 110:** 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. 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 112:** This provision directs the Corps to update its sea level rise planning guidance 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 is integrated into our planning and investments.

**Section 114:** 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 proposed by the House bill would be consistent with federal law, Army Corps practice, and is widely supported by the conservation, hunting, angling, and environmental communities.

**Section 115:** 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, given that these measures can provide sustainable and less costly protections to communities while also improving public health and well-being.

**Section 119:** Section 119 establishes a pilot program to produce 10 feasibility studies at full federal expense for flood risk reduction in economically disadvantaged communities. We support Section 119, 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 122:** The section directs the Government Accountability Office to submit a report to Congress on the Corps' use of natural and nature-based features, including a review of Corps' guidance for natural infrastructure projects, an evaluation of the benefits and costs of natural approaches, barriers to the use of natural infrastructure, and recommendations for policy changes related to the use of these methods. We support this effort to increase the understanding of the Corps' use of natural infrastructure and the benefits of such approaches.

**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. This section corresponds with sections 1012, 1019, and 1080 of the Senate bill. We support this unified approach by the House bill to increase and improve the use of dredged material for coastal restoration and natural infrastructure risk reduction projects. However, we encourage the committees to expand the BUDM pilot projects to 40 and to include an explicit requirement to support 10 thin layer placement pilot projects (as was included in Section 1012 of the Senate bill) in the final bill.

We support the following provisions in the Senate WRDA bill:

**Section 1073:** Many critical reports from recent WRDA bills remain unfinished and we appreciate the authorization of \$50 million in funding for incomplete reports under WRDA 2014, 2016, or 2018, as well as the upcoming WRDA bill.

**Section 1095:** This section 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 encourage the committee to include it in an overarching section on BUDM (such as House bill Section 125).

**Section 1098 (and the corresponding Section 113 of the House WRDA Bill):** Section 1098 of the Senate WRDA bill and Section 113 of the House WRDA bill would both 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.

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

Respectfully submitted,

American Fisheries Society  
American Shore and Beach Preservation Association  
American Rivers  
American Sportfishing Association  
Backcountry Hunters & Anglers  
Coastal States Organization  
Environmental Defense Fund  
Fly Fishers International  
National Audubon Society  
National Parks Conservation Association  
National Wildlife Federation  
Restore America's Estuaries  
The Nature Conservancy  
Theodore Roosevelt Conservation Partnership  
Wildlife Mississippi