



NATIONAL WILDLIFE FEDERATION®

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April 8, 2013

Members of the Senate
United States Senate
Washington, D.C. 20510

Re: Oppose Floor Consideration of S.601, the Water Resources Development Act of 2013

Dear Senators:

On behalf of our more than four million members and supporters, the National Wildlife Federation strongly opposes floor consideration of S.601, the Water Resources Development Act of 2013 (WRDA). As written, this bill is unacceptable to the conservation community because it would radically undermine critical protections provided by the nation's bedrock environmental laws. We urge you to oppose consideration of S.601 on the Senate floor until Sections 2032 and 2033 are stripped from the bill. We also urge you to amend the bill to ensure that Corps projects protect and restore the nation's waters.

America faces significant water resource challenges, driven in part by more intense coastal storms, more frequent and severe flooding, unprecedented droughts, and the unintended consequences from many already-constructed water resources projects. To address these challenges, it is vital that the next WRDA maximize protection of our rivers, floodplains, and other natural resources to improve the safety of our communities and protect fish and wildlife.

While S.601 contains beneficial provisions to advance ecosystem restoration projects like the Everglades and Coastal Louisiana, it also strikes at the very core of the nation's bedrock environmental laws. Sections 2032 (Study Acceleration) and 2033 (Project Acceleration) create a bureaucratic morass of deadlines, fines, multiple high level reviews, excessive paperwork, and internal investigations that will force agency staff to make decisions without adequate information, or worse, to rubber stamp unacceptable projects, prioritizing compliance with arbitrary deadlines over effective review. The National Environmental Policy Act and coordination with agencies like the U.S. Fish and Wildlife Service provide critical protections to people and wildlife. They produce less damaging and more effective projects, and prevent some of the most damaging and ill conceived projects from moving forward, protecting wetlands vital to flood protection, migratory waterfowl, and water quality, and saving taxpayers hundreds of millions of dollars. Sections 2032 and 2033 must be stricken from the bill.

Better project planning, prioritizing federal investments to address national needs, and addressing the Corps' \$60-\$80 billion project backlog are the keys to ensuring that environmentally and economically sound projects will move forward in an expeditious manner. To help achieve these goals, we urge you to amend S.601 to:

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- **Require the Corps to utilize nonstructural and restoration measures where they can provide an appropriate level of protection and benefits.** The Corps continues to promote environmentally destructive and costly structural projects even where less costly and environmentally protective nonstructural and restoration measures would provide better and more cost-effective solutions.
- **Require the Corps to evaluate and update operations plans and water control manuals for large-scale Corps projects at least every 10 years and implement needed operational changes.** Major Corps projects are being operated under decades-old operating plans that do not account for current conditions or science (including more intense storms and droughts), put communities at risk, and aggravate contentious water quantity conflicts.
- **Require mitigation consistent with recommendations made by the nation's fish and wildlife experts pursuant to the Fish and Wildlife Coordination Act.** Despite important criteria established in WRDA 2007 to ensure effective mitigation for fish and wildlife losses, the Corps continues to adopt mitigation plans that will not work, in part because they ignore expert recommendation made by federal and state fish and wildlife agencies.

As the nation suffers from increasingly more extreme weather, like Superstorm Sandy that destroyed lives and communities and caused billions of dollars in property damage, we can no longer afford a water resources planning process that amounts to "business as usual." We surely cannot afford to make planning worse by undermining the protections provided by landmark environmental laws like the National Environmental Policy Act.

We also urge you to support efforts to strike sections 8003 (Funding for Harbor Maintenance Programs) and 8004 (Harbor Maintenance Trust Fund Prioritization). These provisions undermine fundamental water policies that have been in place since the landmark WRDA of 1986 and the important protections they provide to taxpayers and the environment. Section 8003 would immediately double the current level of annual spending on harbor dredging by requiring the Corps to spend all revenues generated from the ad valorem harbor maintenance tax on harbor dredging activities each year, regardless of any demonstrated need. This will promote unnecessary dredging and violates a basic premise of the 1986 WRDA that all such revenues would be subject to discretionary appropriations and not be treated as an entitlement to the port interests. Section 8004 creates an additional significant burden on federal taxpayers and threatens the health and future productivity of many of the nation's most important estuaries by establishing a new federal cost share for dredging deep draft harbors and private harbor berths.

The National Wildlife Federation opposes consideration of S.601 because of its unacceptable attack on the nation's bedrock environmental laws. We urge you to oppose attempts to move the bill to the Senate floor or to limit debate until these concerns are adequately addressed and sections 2032 and 2033 are stripped from the bill.

Sincerely,



Larry Schweiger
President and CEO