May 6, 2021

Ms. Amy Frantz
U.S. Army Corps of Engineers
Headquarters, U.S. Army Corps of Engineers
441 G Street NW., Room 3F91
Washington, DC 20314-1000

Re: Implementation Guidance for the Water Resources and Development Act of 2020, Docket ID No. COE-2021-0002

Dear Ms. Frantz:

Thank you for the opportunity to provide input and recommendations on development of implementation guidance for provisions in the Water Resources Development Act (WRDA) of 2020. For nearly a decade, the undersigned organizations, called the Restore the Mississippi River Delta Coalition, have worked together with local, state, and federal officials and agencies on the restoration of the Mississippi River Delta, a nationally-significant wetland and marsh system. We are encouraged by WRDA 2020's provisions that support the restoration and analysis of the lower Mississippi River and delta.

Louisiana is facing a longstanding, existential land-loss crisis: the equivalent of a football field of the state's coastal wetlands vanishes into open water, on average, every 100 minutes. Since the 1930s, Louisiana has lost over 2,000 square miles of land, an area roughly the size of Delaware. Reversing land loss in Louisiana is a coordinated and major priority at the federal, state, and local level, in support of endangered coastal communities, economic activity, vital natural systems and wildlife populations.

Louisiana's coastal wetlands represent 40% of all wetlands in the continental U.S.[1] and provide an essential buffer to communities and industries from storms. The Mississippi River Delta supports $9.3 billion in annual ecotourism activity, along with $1.8 billion in recreational fishing spending. Moreover, this threatened landscape accounts for 30 percent of all commercial fishing landings in the continental U.S. and hosts five of the nation's 15 largest shipping ports by cargo volume. Additionally, coastal restoration in southeast Louisiana has provided 32,000 jobs with an average annual wage of $69,277 per year.[2]

Louisiana's Coastal Master Plan is a 50-year blueprint that combines projects to restore, build or maintain coastal wetlands with projects to provide enhanced risk reduction for coastal communities from storms and flooding. It provides a fundamental guide for federal and non-federal investment. The Master Plan has undergone rigorous and iterative scientific reviews, and has received unanimous, bipartisan support from both houses of the state Legislature. Proper implementation of WRDA 2020 can help support and advance the Coastal Master Plan and help to reverse Louisiana's land loss crisis.

Report on the Status of the Louisiana Coastal Area (Section 212)
In 2007, the Louisiana Coastal Area (LCA) program was authorized in partnership with the Coastal Protection and Restoration Authority of Louisiana (CPRA) to focus on a systematic approach to coastal restoration. This program authorized creation of the Coastal Louisiana

[1] https://www2.southeastern.edu/orgs/oilspill/wetlands.html
[2] http://mississippiriverdelta.org/whats-at-stake/economy/

Ecosystem Protection and Restoration Task Force, which would include secretaries and heads of relevant federal agencies, CPRA, and two representatives of the state of Louisiana selected by the governor. The task force was intended to be a venue to address conservation and restoration activities throughout coastal Louisiana, but it never appointed members.

Section 212 requires the Corps to report to Congress and summarize the policies, strategies, plans, programs, projects, activities and financial participation of each agency in conserving, protecting, restoring, and maintaining the coastal Louisiana ecosystem (Section 212). The implementation guidance should urge a thorough investigation of this information. Although the task force was never active and some of the LCA projects are proceeding through different processes, the agencies identified all have an important responsibility and role to play in the long term sustainability of this nationally significant ecosystem. Swift completion of this report on the 1 year timeline directed is a critical step toward renewing and improving the federal coordination around and commitment to the restoration of the Mississippi River Delta, as originally intended under the Louisiana Coastal Area program.

Lower Mississippi River Comprehensive Management Study (Section 213)
Our coalition was supportive of inclusion of the Comprehensive Lower Mississippi River Basin Study in WRDA 2020 (Section 213). This study directs the Corps to take a comprehensive look at the entire Lower Mississippi River Basin from Cape Girardeau, Missouri, to the Gulf of Mexico, and make recommendations for the management of this important system. The implementation guidance for the study should:

1. Clarify that this critical and timely study should proceed at 100% federal expense, as was intended by Congress. Negotiating any non-federal cost-share among the many states that could be impacted by the study is impractical and could delay this nationally-significant assessment. Additionally, we believe that this study would be most appropriately led by the New Orleans District of the Corps of Engineers, given the specific directive to evaluate multiple projects within the geographic scope of that district.

2. Direct the Corps to fully evaluate how ecosystem restoration projects could result in improved management of the Lower Mississippi River basin. For instance, recent modeling of the 2019 river flood by Tulane University suggests that the 2019 Bonnet Carré spillway discharge volume could be reduced by over 40% with the operation of the Ama diversion and by over 50% with the operation of the Ama and Union diversions combined. These multiple beneficial projects should be further analyzed in the study and include, but not be limited to, specific ecosystem restoration projects named in the language, like sediment and freshwater diversions Ama and Union and the Increase Atchafalaya Flow to Terrebonne project.

3. Explicitly direct the Corps to prioritize solutions that address multiple purposes described in 213(a), and that improve the long term health and resilience of Mississippi River ecosystems and surrounding communities in the face of climate change. For example, within this study the Corps should explicitly evaluate how river diversions and other nature-based solutions mitigate flooding and reduce the need to use the Bonnet Carré spillway during high flood years, in addition to restoring nearby ecosystems.

4. Direct the Corps to identify those influences, such as nutrient runoff from upriver, that exacerbate impacts such as harmful algae blooms (HABs) and hypoxia, now associated with flood control flows in the lower river.

5. Prioritize consideration of natural and nature-based features, as directed in Section 1149(c) of WRDA 2018 and Section 115 of WRDA 2020, and in accordance with existing law and policy. Other relevant laws and policies that drive prioritization of natural and nature-based approaches include the Clean Water Act (which requires use of the least environmentally damaging practicable alternative); the Congressionally established National Water Resources Planning Policy; national priorities including increasing resilience to more frequent and intense floods, storms, and droughts and the goals of increasing equitable outcomes, including through the correction of environmental injustice and accounting for lost ecosystem services as a project cost. Grey infrastructure management structures serve the sole purpose of flood control and often transfer flood risks onto other communities, while natural infrastructure projects can protect against multiple flood types while supporting ecosystems and providing health benefits for people.

6. Require robust engagement with affected communities and ensure there are ways to incorporate community voices that are affected by river management decisions made in this region, consistent with Section 112 of WRDA 2020. Particular efforts should be made to consult with low-income communities, communities of color, and Indian Tribes. The Corps' Coastal Texas Study is a strong model for public engagement.

Flood Control and Other Purposes (Section 351)
After Hurricane Katrina created lasting damage in southeast Louisiana, Congress authorized and funded the Corps to create and implement the Hurricane and Storm Damage Risk Reduction System (HSDRRS). HSDRRS works to reduce storm surge and other flood risks via levees, floodwalls, pumping stations, and more across a 133-mile Greater New Orleans perimeter.

WRDA 2020 authorizes federal renegotiations of debt repayments (Section 351) with non-federal interests. For Louisiana specifically, delays in substantial completion of the $15 billion risk reduction system resulted in construction interest costs incurred to skyrocket. This WRDA allowance for renegotiation could result in significant savings for the state because it means interest debt could be forgiven if Louisiana commits to pay back all of the principal over three years. This would free Louisiana from an obligation of $100 million a year for 30 years and allow those critical savings to be spent on the implementation of other Coastal Master Plan projects. When creating implementation guidance for section 351, we urge speedy implementation of a process to facilitate this critical cost saving procedure.

Environmental Justice Considerations
Too often, traditionally low-income and communities of color bear the brunt of climate change, coastal land loss, hurricanes and more. WRDA 2020 directs the Corps to provide support for economically disadvantaged communities, frontline communities subject to repetitive flooding, and Indigenous and communities of color (Sections 111, 112, and 118). More specifically the Corps will provide resilience planning assistance, improve stakeholder input when carrying out water resources development projects, and assess flood risk and hurricane storm damage reduction needs for these communities. The implementation guidance for these sections must ensure these communities are more prepared for flooding now and in future scenarios where flooding is predicted to be more intense and frequent and have a voice in flood control projects that are built nearby. Some of our groups are submitting more detailed comments regarding implementation guidance for these and other sections.

Thank you for your consideration of these important measures which are tremendously needed for the protection of communities living in and around the Mississippi River Delta. We urge you to provide the implementation guidance necessary to ensure restoration of the Mississippi River Delta and protection of nearby communities.

The undersigned organizations are looking forward to working with you.

Sincerely,

Environmental Defense Fund
National Audubon Society
National Wildlife Federation
Coalition to Restore Coastal Louisiana
Pontchartrain Conservancy