



Chris Canfield
Vice President
Gulf Coast Conservation/
Mississippi Flyway

51 Park Lane
Folsom, LA 70437
504-344-4328
ccanfield@audubon.org
www.audubon.org

U.S. Environmental Protection Agency, EPA Docket Center
Office of Environmental Information Docket, Mail Code 28221T
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
oei.docket@epa.gov
(submitted via email)

October 26, 2011

Dear Gulf Coast Ecosystem Restoration Task Force members,

The National Audubon Society appreciates the opportunity to share our comments and recommendations on the *Preliminary Gulf of Mexico Regional Ecosystem Restoration Strategy* (hereafter, “Draft Strategy”).

We commend the Task Force for moving toward a regional and multi-agency approach to Gulf Coast ecosystem revitalization in the aftermath of the Deepwater Horizon incident and beyond and appreciate the Task Force’s desire to improve upon the existing work through the comment period provided to interested stakeholders like ourselves.

The National Audubon Society is currently in its second century as an advocate for birds, the critical habitats on which they depend, and, very importantly, for the millions of people who appreciate the benefits of continuing to share the planet with birds and other wildlife. The National Audubon Society is also a major Gulf coast landowner managing thousands of acres of marsh and barrier island refuges from Texas to Florida, including 26,000 acres in the Mississippi River delta plain.

Many of our hopes for your report and for the Gulf as a whole were included in a multi-organization document we co-authored and previously submitted to you, *Strategy for Restoring the Gulf of Mexico: Recommendations to the Gulf Coast Ecosystem Restoration Task Force*. We are pleased to see many of your recommendations consistent with our report and hope you will continue to refer to that larger document as you refine your draft and also as you develop the implementation framework.

The organization of the Draft Strategy is clear and straightforward, and its breadth provides a good outline within which to build specific goals and action steps. We particularly appreciate the succinctness of the report, the clarity of its goals statements with major actions, and the value of the information about the contributions individual states make to the Gulf Coast ecosystem and economy.

To assist you in preparing your final Strategy document, we offer the following recommendations, some general to the themes of the document, others specific to goals or action steps:

1. Recommendation: Underscore throughout document the importance of ecosystem restoration in the context of economic and social needs.

We applaud the Task Force for its strong statement of ecosystem restoration being placed “on equal footing with navigation and flood damage risk reduction” and encourage this message to be placed at the front of the report, with special emphasis on its importance to the Mississippi River. In fact, we would ask you to lay out more strongly the ways that proper ecological functions actually improve coastal resilience for communities and support our regional and national economy. Without ecosystem restoration, we will be unable to afford to sustain navigation and flood protection along many areas of the coast.

2. Recommendation: Develop clearer measures for recommended actions and articulate specific actions that can be undertaken immediately.

We encourage the Task Force to give added weight to the Draft Strategy language through development of outcomes and performance measures for recommended actions. Consider including the ways and means through which each of the major actions will be implemented in the form of specific targets (i.e. targets in the form of percentages for increased beneficial use rather than simply maximizing to “the extent practicable”). In addition, we recommend articulation of which actions in the section entitled “Next Steps” (at pp. 52 and 53) will be immediate and which will be regarded as long-term. Furthermore, we would like to see the Task Force specify which of its recommendations it sees as having the highest priority for an urgent, early start while the rest of the “Implementation Plan” is developed. There must be some measures that the Task Force can agree upon today that can help states prepare.

3. Recommendation: Support development of tools from existing models to help prioritize needs and resolve conflicts.

We recommend that measures to make each of the “Major Actions” a reality be guided by targets that spell out what is needed to sustain living resources as well as to protect the well-being of coastal communities. To that end, we recommend that the Task Force support development of fact-driven tools to help prioritize coastal needs and resolve

conflicts between ecosystem restoration, navigation, community resilience and flood protection.

The State of Louisiana has invested heavily in such tools, including hydrodynamic and ecosystem modeling, as well as economic and legal analyses, with stakeholder feedback at every step. While difficult, this approach has proven to be both feasible and empowering for development of the Louisiana Coastal Master Plan discussed in Appendix B and can serve as a model to other states.

4. Recommendation: Support the permanent protection of priority habitats.

Conservation and restoration efforts should be prioritized according to holistic models showing how individual actions best fit into a larger scheme for system-wide recovery. High-priority actions at high-priority sites should emphasize the long-term benefits of the work and therefore favor permanent protections for the projects through fee interest or conservation easements.

5. Recommendation: More clearly fulfill the requirement in the President's Executive Order #13554 of 2010 to "coordinate intergovernmental efforts to improve efficiency and effectiveness in the implementation of Gulf Coast ecosystem restoration actions."

Language that suggests the recognition of need to improve coordination is a nice start, but identification of responsible parties, their roles, scopes, schedules, and budgets are necessary. The report language should be concrete in describing a Task Force vision or template for the forthcoming "Implementation Plan." Additionally, the Draft Strategy should include language from each federal agency regarding how existing discretionary budgets could be reprogrammed to reduce redundancies and improve efficiencies.

On a related note, where major actions are discussed that are the specific responsibility of a single agency, for example "Maximize Beneficial Use Where Practicable," discussion of improvements to the specific authorization or law should be undertaken; in this instance, the Federal Standard limitations should be recognized and modifications should be recommended. This example would also apply to NOAA's role in Consistency Determination, or EPA's role in Offshore Disposal Areas, to name a few.

6. Recommendation: Describe how listed intergovernmental bodies will be assessed or engaged to improve coordination and reduce duplication of efforts moving forward.

In the section entitled "Leveraging Partnerships" a handful of existing intergovernmental bodies are described and the suggestion is made that the Task Force will "continue to assess efforts and capabilities" as they "seek to improve cooperation and coordination." There should be a discussion added after the descriptions of these groups that identifies either specific recommendations to improve coordination and reduce redundancies, or a description of specific, actionable next steps that will be taken.

7. Recommendation: Appoint a Restoration Project Ombudsman to ensure that targeted projects do not work at odds with one another like the spill response efforts did.

Much of the damage in the Eastern Gulf as a result of the Deepwater Horizon disaster came not from oil's arrival on beaches, but from uncoordinated and harmful monitoring and protection activities undertaken by different levels of government, different agencies, and the non- and for- profit sectors. The tragedy—and lesson—in this is that none of these actors had bad intentions. Each was focused on completing their immediate task at hand; unfortunately, activities often ran counter to one another. For example, vessels of opportunity regularly checking that booms remained in place caused propeller scarring of seagrasses. Helicopter flights surveying the extent of oil caused disturbance and destruction of beach-nesting bird colonies. We must ensure that restoration efforts do not suffer the same fate. Targeted restoration projects run the risk of working at odds with one another if not well coordinated. In addition to the collaborative and inclusive consortium that the plan anticipates guiding this process, we suggest that an “air traffic controller” of sorts also be appointed. This individual would work as an ombudsman to vet projects for compatibility and to identify and address issues quickly, should they arise. This will also provide entrée for state agencies that do not have the same degree of representation on Gulf Restoration decision-making bodies as the state's primary trustee delegate.

8. Recommendation: Use adaptive management to accelerate science-based restoration and include commitment of states and federal entities to follow the principle.

We agree that promoting science-based decision-making and adaptive management is the best way to ensure the success of restoration without having to wait for complete knowledge of outcomes prior to implementation. If all agencies involved with this restoration work could embrace these principles, we could see rapid and synergistic results. Much of the science to support innovative and ecologically sound restoration exists but is not embraced by responsible agencies and parties for a variety of reasons. The council should provide vehicles for assembling teams of both agency and independent scientists to advise on new approaches to work and to provide ongoing analysis for adaptations to emerging realities and new science.

9. Recommendation: Provide an explanation of the resources necessary to overcome “barriers” identified in the report (p. 14) and discuss the potential sources of funds.

In the section entitled “Resolve Policy and Process Obstacles Impeding Progress,” the Draft Strategy identifies obstacles that need to be overcome in order to “ensure greater alignment of federal and state actions.” We recommend that the “existing resources in regulation and policy” noted here are specifically defined. The report should also include

a description of available funds and also “alternative financing mechanisms” mentioned here.

10. Recommendation: Continue call for restoration funding and provide additional commitments from federal and state partners.

Audubon commends the Task Force’s recognition of the urgency for funding both immediate and long-term restoration. We strongly support your recommendations for the use of Clean Water Act civil penalties for Gulf recovery and would encourage you to specifically identify designating at least 80 percent of those funds for Gulf restoration. We also hope that involved federal agencies and states will seek and obligate additional funds for this work. Establishing additional goals in agency budgets in this document might provide motivation for growing the pot of money for overall Gulf work.

11. Recommendation: Further highlight the primacy of the Mississippi River Delta for Gulf restoration and expand on the specific policies and projects that need to be enacted in the near term to jumpstart major repairs of the system.

We are encouraged by the language of the second paragraph in the Executive Summary that places the need to reverse the collapse of the Mississippi River delta plain as a central focus both for recovering from damage caused by the Deepwater Horizon disaster and for restoring the productivity of the Gulf as a whole. We applaud the Task Force for recommending in the first of the “Major Actions” listed at p. 5, the long overdue modernization (p. 23) of existing ‘river management’ decision-making to place consideration of environmental outcomes at the coast “on equal footing with navigation and flood damage risk reduction.”

This policy shift is a necessary prerequisite to arresting loss of the Gulf Coast wetland inventory that is most at risk in the Mississippi River deltaic plain. To that end, we would recommend that the “Major Actions” section include specific targets for increasing river sediment introduction to deltaic wetlands to, say, 80 percent of that currently coming down the Mississippi and Atchafalaya Rivers through river reintroductions and increased beneficial use rather than adopting a phrase like “to the extent practicable.” The current Federal Standard is an arbitrary approach that discourages strategic use of dredged material and has led to geographic inconsistency and inequity among the various Gulf Coast Districts of the USACE.

Key objectives noted in the Draft Strategy such as implementing river reintroduction projects, seeking new approaches for sediment management and expediting the LCA Mississippi River Hydrodynamic and Delta Management studies are vital and necessary and should be prioritized for near-term action.

12. Recommendation: Consider recommending ground-breaking thought processes for Gulf restoration, such as “design competition” for redesign of mouth of Mississippi River.

It would be useful to reference some alternative mechanisms commonly used by the U.S. Department of Defense and other government agencies to jump significant technical or bureaucratic obstacles that could be applied for Gulf coast restoration. One such idea that has gained support is that of sponsoring “design competitions.” The management of the mouth of the Mississippi River downstream of New Orleans, for example, is currently approaching obsolescence as a result of geologic changes and relative sea level rise. While the wetlands adjacent to the River are disappearing for lack of sediment, the USACE is no longer able to reliably maintain the deep-draft navigation entrance at its authorized width and depth even with expenditure of \$100 million annually on dredging sediment that is wasted offshore. A prestigious design competition of the type used for major projects like the Ground Zero rebuilding or development of a new tactical fighter could be used to identify the best ways to get sediment into the wetlands and out of the navigation channel without stopping shipping. This approach could improve navigability, flood protection and wetland restoration, while lowering long-term maintenance costs. These ideas are unlikely to come to fruition through normal incremental agency processes and funding and, therefore, require a leapfrogging approach that challenges the creativity of talented scientists, engineers and firms from around the world that would never otherwise be involved. Similar innovative thought projects could help figure out how sediment clogging reservoirs on the Missouri River could be put back into the Mississippi or catalyze the ways that creation and maintenance of barrier island systems could be used as essential habitats for wildlife and storm protections for communities without disrupting natural processes.

13. Recommendation: Specify inclusion of birds (waterbirds, wading birds, shorebirds, and pelagic birds) in recommendations for establishment of long-term monitoring programs.

No animals were more iconic of the impacts of the BP oil disaster than birds. No animals can be more symbolic (and indicative) of success of the restoration plans than birds. Birds are a visible and relatively easily monitored component of the Gulf of Mexico ecosystem. Birds have been shown to be good indicators of environmental quality, and their response to environmental conditions and hazards ensures that they will provide feedback about effectiveness of restoration strategies, as well as early warning about environmental threats. They are also a valuable and valued part of the Gulf ecosystem, and long-term monitoring, called for in the Southeastern U.S. Waterbird Conservation Plan, will ensure that restoration is helping to restore their populations. Please specify the necessity of Gulf-wide monitoring on a consistent and well-coordinated basis of bird species, breeding, migrating and wintering.

14. Recommendation: State more clearly the need for restoration to benefit all of the wildlife dependent on the restored habitats, including the full suite of birds.

In the section entitled “Restore and conserve coastal and near-shore habitats” the Draft Strategy identifies some of the services provided by the different coastal and near-shore

habitats. We recommend that the services be expanded to be more inclusive. For example, barrier islands, including beaches and dunes, provide critical habitat for birds, and are particularly important for hemispheric shorebird migration.

The report should also specify that restoration projects be implemented in such a way that they provide optimal habitat for birds and other wildlife. Special knowledge is required to ensure that what appears to be restored wildlife habitat is actually functional as such. Indeed, some engineered efforts at replenishing wetlands and reforming dry lands may unwittingly destroy vital habitats if not attune to the special needs of wildlife. The report should call for providing expert knowledge and design assistance from biologists and ecologists to ensure that habitat restoration provides optimal habitat for birds and other living resources, as well as general engineering and design assistance.

15. Recommendation: Ensure that preserving and restoring coastal processes and dynamism is fundamental to the restoration plan.

While much barrier island erosion in the Central Gulf may be a result of lack of sediment from the Mississippi River, we must not lose sight of the importance of erosion and accretion of barrier islands to many of our imperiled coastal species. Especially in the Eastern Gulf, where sediment transport is not as much of an issue, discussions of “stabilizing” barrier islands are largely intended to protect the built environment, often at the expense of wildlife habitat. Beach “renourishment” is not de facto habitat creation, and often, “stabilization” projects such as large sea oats plantings or dune construction eliminate the early successional portions of the beach-dune mosaic upon which imperiled species like Piping, Snowy and Wilson’s plovers depend. Much of the language in this document referring to stabilization of barrier systems is the same used by the tourism industry in the Eastern Gulf to inaccurately characterize beach renourishment and coastal engineering projects as habitat protection. Beach projects can be good for wildlife, but we must ensure they are held to a higher standard, if we hope to see both economic and ecological benefits.

16. Recommendation: Modify list of sentinel birds.

Sentinel birds should include the three beach-dependent plovers of conservation concern: Snowy, Wilson’s, and Piping Plover. It should also include Brown Pelican, Northern Gannet, American Oystercatcher, Black Skimmer, and Seaside Sparrow. This suite of sentinel species will ensure that populations of birds that represent the barrier islands, beaches, near-shore waters, shrub, deepwater, and marshes of the Gulf of Mexico are being monitored. In addition, this suite of species uses the Gulf throughout the year. Many are sensitive to human disturbance, and they feed on a variety of foods also important to human communities, and thus indicate habitat and food quality.

17. Recommendation: Support creation of a network of environmental education and outreach capacities that engage people in active participation in restoration.

We applaud the recommendation to expand environmental education and outreach. Audubon is particularly well positioned to assist with both formal and informal programs through its network of education centers and volunteer chapters. No good works last unless current and future generations are made aware of the value of the effort and actively participate in recovery efforts. So we encourage your expansion of those recommendations to include active participation in restoration, from citizen monitoring for birds and other wildlife, to sharing in replantings for marsh revitalization. Special funding for and/or recognition of the monetary equivalent value (say, for matches) of volunteer efforts should be embedded into your plans.

The Gulf Coast Ecosystem Task Force has an historic charge at an historic juncture for the Gulf of Mexico and the states that border it. Thank you for embracing this charge and unflinchingly committing your best wisdom and resources to recovering this resource that “is among the nation’s most valuable and important ecosystems.”

Sincerely,

A handwritten signature in cursive script that reads "Chris Canfield". The signature is written in a dark ink and is positioned above the printed name.

Chris Canfield