

**American Rivers * Assateague Coastkeeper * Beyond Pesticides * Center for
Neighborhood Technology * Clean Water Action * Congress for the New Urbanism*
Defenders of Wildlife * Earthjustice * Friends of the Earth * Friends of Hurricane Creek *
Great Old Broads for Wilderness * Great Salt Lakekeeper * Gulf Restoration Network *
Lawyers' Committee for Civil Rights Under the Law * Mobile Bay Watch/Mobile
Baykeeper * National Environmental Trust * Natural Resources Defense Council * New
York/New Jersey Baykeeper*Oxfam America * Physicians for Social Responsibility (PSR)
* San Diego Coastkeeper * Savannah Riverkeeper * Save the River/Upper St. Lawrence
Riverkeeper *Sierra Club * Smart Growth America * St. Johns Riverkeeper* Tennessee
Clean Water Network * Tualatin Riverkeepers *
Upper Neuse Riverkeeper * UPROSE * U.S. Public Interest Research Group *
Waterkeeper Alliance**

November 1, 2005

Honorable Thad Cochran
Chairman
Senate Committee on Appropriations
S-128, The Capitol
Washington, DC 20510

Honorable Robert C. Byrd
Ranking Member
Senate Committee on Appropriations
S-146A, The Capitol
Washington, DC 20510

Dear Sirs:

On behalf of our [millions] of members and supporters, we write to ask that any hurricane reconstruction appropriations include funding that will protect the health, environment and economy of Gulf Coast residents, ensure compliance with existing environmental and public health protections, and provide tools that will better prepare these communities to withstand battering from future storms. Hurricanes Katrina and Rita exposed a century of poor planning and industrial abuse that made much of the Gulf Coast more vulnerable to the toxic aftermath from major storms. We ask you to consider the following proposals as you draft future spending bills for the region:

- **Provide \$2.45 billion to the Environmental Protection Agency to Restore Safe, Clean Drinking Water Supplies and Sewage Systems**

Drinking water and sewage systems were hit hard by the two storms leaving more than 2.4 million people without safe drinking water. As of October 10, the EPA reported that 270 public water systems in storm-affected states were still on boil water advisories, and at least 289 systems were still inoperable. The American Water Works Association has estimated that the cost of repairing the drinking water systems alone will be about \$2.25 billion dollars. In addition, at least 19 sewage systems still were not operational as of October 10; the total cost of needed repairs for these and other systems has not been publicly estimated but are thought by local experts to be large. We urge you to fund \$2.25 billion dollars for drinking water system repairs, and to also fund an initial down payment of at least \$200 million dollars for sewage treatment plant repairs in the storm-affected region.

- **Provide \$43 million to the Environmental Protection Agency, Centers of Disease Control and Prevention and the Food and Drug Administration to Protect Coast Residents by Testing for Hazards & Health Effects**

The EPA, CDC, FDA and independent experts should immediately broaden toxicity testing of sediments, soils, water, air, and seafood (including both chemical and biological contaminant monitoring), as well as biomonitoring and health surveillance of responders and the public. Immediate widespread testing of sediment and dried mud is critical to ensuring the safety of cleanup workers and returning residents, and for identifying toxic hotspots for containment and cleanup. Big industrial facilities, Superfund sites, and other toxic hotspots should be catalogued and evaluated, and any dangerous releases contained immediately. Immediate public disclosure of all information is also critical. We urge you to provide EPA with \$20 million dollars for testing sediments, soils, water, and air for chemical and biological contaminants. In addition, we urge you to provide CDC with \$18 million dollars for biomonitoring of local residents and health surveillance of responders and the public, and FDA with \$5 million dollars to step up testing of regional seafood safety.

- **Provide \$2 billion to the Environmental Protection Agency and the National Oceanic & Atmospheric Administration Clean Up and Assess the Damage from Spills and Toxic Sediment**

According to U.S. Coast Guard data, at least 575 spills of toxic chemicals or oil were reported due to the storms, spilling over 8 million gallons of oil alone. The full cost of cleaning up and assessing the damage from spills, leaks, disturbed industrial waste sites, contaminated sediment, and other contamination incidents will likely total several billion dollars. We urge you to make a down payment on these costs by providing at least \$2 billion dollars for cleanup and initial remediation and restoration work, and \$25 million for natural resource damage assessment.

- **Provide \$2 billion to the Environmental Protection Agency for Safe Debris Sorting, Recycling, and Disposal**

According to some accounts, over 100 million tons of debris were generated by the hurricanes, ranging from trees and brush to thousands of destroyed homes and an estimated 350,000 ruined vehicles. EPA and others have already collected thousands of containers of household hazardous waste and other hazardous materials. The cost of debris removal and disposal contracts reportedly already exceeds \$2 billion. It is critical that as much of this debris as possible be sorted and recycled or reused to the extent possible, that hazardous materials are separated and safely disposed of, and the open burning of waste be banned or severely limited. We urge Congress to appropriate at least an additional \$2 billion to fund such recovery, recycling, and safe disposal methods.

- **Provide \$4 million for a Stakeholder Commission on Rebuilding New Orleans and the Gulf Coast**

While no one could possibly wish for the unprecedented scale of human tragedy wrought by Hurricane Katrina, the physical devastation resulting from the storm does present a unique opportunity: the citizens of New Orleans and neighboring parishes and states now can – indeed, must – dare to re-imagine their communities and their futures as human settlements. At least \$4 million should be appropriated for creation of an independent, stakeholder commission to develop initial recommendations about reconstruction. This stakeholder commission should bring together local and state elected representatives, businesses, community associations, displaced residents, green building experts, urban planners, sportsmen, professional shrimpers and fishermen, environmental groups, environmental justice groups, civil rights organizations, affordable housing experts and federal authorities, and should be facilitated by a neutral party.

- **Provide \$12 million to the Environmental Protection Agency, the Federal Emergency Management Agency and the Department of Housing and Urban Development for Responsible, Community-Based Planning**

If done properly, the rebuilt communities of the Gulf Coast and its neighbors can become an international model that demonstrates how to integrate the best 21st-century principles of sustainable design and livable communities with the rich cultural and architectural heritage that has made the region so beloved to natives and visitors alike. While the stakeholder commission described above can oversee large-scale, regional planning decisions, an additional \$12 million down payment should be appropriated for charrette-based planning at the neighborhood level. This inclusive, creative process should bring together experts and community residents in exercises across the region to design rich, vibrant neighborhoods that minimize adverse impacts on the environment, provide transportation choices, link people and jobs, and establish healthy communities for all. The process should explicitly provide for adequate affordable housing and take advantage of energy-efficient, green building techniques as well as smart neighborhood design. At least 20 percent of this funding should be

set aside for planning appropriate concentrations of jobs and housing near major transportation stations and stops.

We are also hopeful that as the area is rebuilt; all reconstruction is done in an environmentally friendly manner that uses the best technology to protect residents of the Gulf Coast region. This includes fully funding FEMA's mitigation measure and restoring the 15% funding formula for the Hazard Mitigation Grant Program.

- **Provide \$5.5 billion to the Department of Interior, the U.S. Army Corps of Engineers and the National Oceanic & Atmospheric Administration for Coastal Restoration to Protect Communities against Future Storms**

Natural coastal barriers on the Gulf have nearly been destroyed by decades of industrial misuse and government-sponsored re-engineering gone awry. It is imperative that a portion of federal funds be directed to projects that will provide the Gulf regions with more protection from future storms. The supplemental appropriations bill should therefore include funding to proceed with the proposed Coastal Louisiana restoration plan, including at least \$5 billion for near-term projects with the potential to quickly restore lost coastal wetlands and barrier islands. The bill should also amend federal law to dedicate a minimum of \$500 million per year for subsequent wetland and barrier islands projects.

- **Provide \$240 Million to Department of Interior to Repair Damage to National Wildlife Refuges**

Initial assessments indicate that costs from this season's hurricane and storm damage could total at least \$240 million for all Fish and Wildlife Service programs in the affected areas, most of which is for damages to the National Wildlife Refuge System. This includes refuges in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Texas. In addition to the extraordinary damage and human impacts in these areas, refuges were ravaged by strong winds, heavy rain and salt-water intrusion, among other things. Moreover, wetland and levee restoration on national wildlife refuges can be crucial for future storm protection on refuges and surrounding communities.

- **Provide \$100 million to the Department of Interior to Repair Damage to our National Parks**

National parks, like John Lafitte National Historical Park, New Orleans Jazz National Historical Park, Gulf Islands National Seashore, and Everglades National Park face extensive damage from hurricanes Katrina and Rita. These parks suffered damage to natural resources, cultural artifacts, and visitor centers. Initial estimates for Park Service damages are approximately \$100 million. In addition to the direct recovery and clean-up costs associated with the affected NPS sites, Park Service employees from across the nation were deployed to the Gulf region to aid in recovery effort, resulting in further expense to the Park Service.

- **Allow Fishermen Access to Their Own Savings in the Capital Construction Fund**

Congress can provide additional resources to Gulf Coast fishermen by expanding the qualified withdrawals from NOAA's Capital Construction Fund. This would allow fishermen to roll money that they deposited in the Fund into an IRA or allow them to use these funds to purchase advanced fishing gear that would reduce waste and minimize habitat damage. Gulf fishermen specifically could also be given a six month amnesty period, during which time they could remove their investment for any purpose. More than 200 Gulf Coast fishermen have close to \$7 million dollars invested in the Capital Construction Fund.

- **Provide Adequate Funding to Offices of Inspector General**

Each federal agency involved in recovery and rebuilding efforts should receive funding for their Inspectors General for provision of ombudsman services, to evaluate and investigate agencies and contractors to ensure their compliance with Title VI of the 1964 Civil Rights Act and Executive Order 12898.

- **Reject Proposals to Exempt Reconstruction from Public Health and Environment Laws**

We urge you to reject all efforts to weaken public health and environmental laws with riders in the appropriations process. Families already injured by the hurricanes should not be placed in further jeopardy by proposals to waive or weaken the laws that guarantee them clean water, healthy air, and safe communities. EPA has not identified the need for any waivers beyond those already allowed by current law therefore the need for flexibility can be accommodated without changes in current law. We urge you ensure that all federal

agencies involved in the recovery and rebuilding efforts fully implement and enforce these safeguards, including in minority and low-income communities.

Finally, reconstruction should be planned using the best available science regarding coastal erosion and climate change impacts. This includes restoring wetlands as a critical defense against storm surges and addressing the increased risk of more severe hurricanes and rising sea levels due to global warming. The reconstruction effort gives Congress an opportunity to lessen the impact of future storms on the Gulf Region by adopting policies that will strengthen the economy, environment and health of those that live there.

Sincerely,

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Director of Government Affairs
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Cc: Appropriations Committee Members
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Honorable Jerry Lewis
Chairman
House Committee on Appropriations
H-218, The Capitol
Washington, DC 20515

Honorable David R. Obey
Ranking Member
House Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

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