



Chris Wood
President & CEO

April 8, 2021

Gina McCarthy
National Climate Advisor
The White House
1600 Pennsylvania Ave. NW
Washington, DC. 20500

Dear Chairwoman McCarthy:

On behalf of Trout Unlimited (TU), I am writing to share our perspective and recommendations with the National Climate Task Force regarding President Biden's *Executive Order on Tackling the Climate Crisis at Home and Abroad* (E.O. 14008). Trout Unlimited's mission is to conserve, protect and restore North America's trout and salmon fisheries and the watersheds they depend on. In pursuit of this mission, TU works with anglers, ranchers, farmers, states, tribes, federal agencies, local contractors, businesses, and many other partners across the country to restore streams and protect watersheds while also sustaining working lands and vibrant communities.

Most TU members are optimists. We often stay out late for repeated "last casts" in the hopes of landing a big fish. For those of us who care deeply about trout and salmon, we need that optimism, because for multiple reasons, many populations are in decline and it sometimes seems that we are fighting a rearguard action.

Scientists tell us that higher water temperatures and more destructive floods, fire and drought could eliminate 50 to 75 percent of trout habitat by 2080. No surprise then, that regardless of our political persuasion, trout bums, salmon anglers and steelheaders are deeply worried about climate change and its impact on fish and wildlife.

We already see the impacts in the drought-stricken West, where reduced snowfall starves rivers of spring runoff, and wildfires such as those in Oregon, California and Colorado last year scorched tens of thousands of acres of forest lands. In the East, 100-year floods now occur once a decade. Like everyone, we anguish about what this will mean for our families, neighbors, communities and especially, for our kids and grandkids. But as anglers, we cannot help thinking also about what it will mean for the fish and the sport that means so much to us.

A divided government makes passage of bold legislative action to slow greenhouse gas emissions—the cause of climate change—challenging. But even as we tackle the harder question of addressing the drivers of climate change, the Biden administration and Congress can and should fund and incentivize local, on-the-ground work to adapt to the new climate reality.

A mission to conserve, protect, & restore North America's coldwater fisheries and their watersheds.

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We need to get moving on the seemingly mundane projects that protect communities and our natural resources, such as retrofitting irrigation canals, repairing road culverts, thinning forests, and restoring high-elevation meadows. This is the unremarkable but important work needed now to address drought, floods and fires, and prevent trout and salmon populations from blinking out.

The Biden administration should work with the Federal Emergency Management Agency (FEMA) and Congress to reallocate disaster response funding to help communities better prepare for future floods before they happen. As a nation, we spend billions on disaster relief. Why not spend millions on disaster prevention?

In Oregon, conservationists are already working with farmers, loggers, local, state and federal agencies, and other partners to replace undersized culverts with bridges that allow floods to pass and connect trout and salmon with spawning grounds. We have reconnected more than 80 miles of river habitat in a way that protects rural communities from the intense floods of the future.

In Montana, FEMA gave a \$700,000 grant to remove the obsolete Rattlesnake Dam in Missoula, which could have caused \$6 million in damage had it failed.

To combat drought, the new administration should incentivize farmers, ranchers and irrigators to sign up for voluntary programs that save money for them and save water for fish. This is happening in Washington's Yakima basin, where irrigators, conservationists and the Yakima Nation developed a solution that works for farmers, and imperiled salmon and steelhead, too. By lining a major irrigation canal with cement, they saved enough water to fill 183 football fields with one foot of water and improved the odds for recovery of the Yakima's fish populations.

In an age of unnaturally intense fires spurred by climate change, forest management can play a vital role in keeping communities safe. The Biden administration should require all timber sales on public lands be designed to recover forest health and are focused on restoration. Historic timber cutting on national forests focused on *removing* value from the woods in the form of lumber that would be brought to market. Public forest management today should be designed to *return* value to the woods and the communities that depend on them.

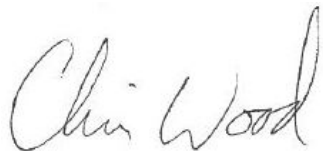
A case in northwestern Montana shows how it should work. There, the U.S. Fish and Wildlife Service held up a timber sale on the Lolo National Forest for years until the Forest Service agreed to use the revenues from the sale to finance restoration in a creek that harbored imperiled bull trout.

Many western landscapes evolved with frequent low-intensity fires, but a century of fire suppression has turned too many hillsides into matchboxes. Turning that around means allowing the safe reintroduction of fire and recovering forest ecosystems to make them better able to withstand the impacts of climate change. For example, by recovering high-elevation meadows in the Sierra Nevada, not only do we keep water colder for native trout, but we also provide a natural fuel break against intense fire and store water for late-season irrigation needs. Triple win.

Make no mistake, the longer we put off addressing the causes of climate change, the higher the price we will pay later. By taking these types of collaborative and bipartisan efforts to scale, the Biden administration and Congress will make our lands and waters, our communities—and yes, our trout and salmon populations—more resilient to the effects of floods, fire and drought.

These actions will not solve the climate crisis, but by working across party lines to deal with the present-day effects, the Biden administration and Congress can build some of the confidence and trust we as a country will need to deal with the causes that imperil our long-term future.

With great challenges come historic opportunities and we hope that the following recommendations are helpful as you and your team prepare recommendations and policies pursuant to E.O. 14008.

A handwritten signature in cursive script that reads "Chris Wood". The signature is written in a dark ink and is positioned in the upper left quadrant of the page.

Climate Change Prioritization for Agency Budget and Policy. *Part II, Sec. 203(c)*

Section 203 of the Order appoints Cabinet members and several others as a Climate Task Force, with subsection (c) directing: “To the extent permitted by law, Task Force members shall prioritize action on climate change in their policy-making and budget processes.” TU values its working partnerships with all of the natural resource federal agencies. Because water is one of the strongest expressions of climate change for the United States—from extended drought in the West to more frequent storms lashing the Eastern Seaboard—Section 203(c)’s directive for federal agencies to prioritize action on climate change within their existing authorities and budgets is particularly important for those agencies with broad authority over watershed health, including the Bureau of Reclamation and the Natural Resources and Conservation Service (NRCS). Below are selected, priority actions that TU requests be included in federal agencies’ Section 203(c) response:

- *Bureau of Reclamation*—**Implement the new provisions in the Consolidated Appropriations Act** for FY2021 (Public Law 116-260), including the tribal water settlement bills, a new Aquatic Ecosystem Restoration Program, an extension of the Cooperative Watershed Management Act, expanded WaterSMART authority to implement natural-based solutions to climate change and drought, and incentives for irrigation infrastructure upgrades in ways that improve ecological and climate resilience.
- *Bureau of Reclamation*—Implement Reclamation’s obligation from the 2019 **Drought Contingency Plan for the Colorado River Basin** (DCP) to contribute 100,000 acre feet of water annually in a way that does not exacerbate the adverse effects of climate change on the already stressed Cienega and Colorado River Delta, as would likely happen were Reclamation to restart the Yuma Desalting Plant.
- *Bureau of Reclamation*—Implement other portions of the DCP, including the option for the Upper Division States to pilot a water demand management program to store up to 500,000 acre feet of water in lake Powell that would not be subject to the Interim Shortage Guidelines equalization process. Reclamation could start by assessing the risks of Upper Basin curtailment to the operations of its own facilities and share that assessment with the States, Tribes and other interested parties this summer. Avoiding the catastrophe of an Upper Basin curtailment will be key to demonstrating that Reclamation and its partners can manage the reductions in water supply that climate change is almost certain to deliver.
- *NRCS*—**Regional Conservation Partnership Program (RCPP)**. Implement fully the RCPP’s Conservation Grant Provision by directing 15 grants yearly to partnerships that advance conservation innovation and impact around climate solutions for working lands. This is the single most flexible, most innovative administrative action that the NRCS can immediately implement to advance climate solutions for working lands. The NRCS is currently offering funding under this new statutory provision in the 2018 Farm Bill only through existing Alternative Funding Arrangements (AFAs). Because the statute explicitly creates a more flexible grant option, moving forward, the NRCS should offer a grant agreement to any successful partnership application.
- *NRCS*—**Emergency Watershed Protection (EWP) program**. The program’s 20-year-old regulatory definition of allowable, “defensible,” actions is still consistent with best-practices in watershed restoration and protection. However, EWP implementation at the local level has often fallen short of meeting the regulatory definition of “defensible” by, for example, using funds to add riprap to rebuild roads in active flood plains. Ensure all EWP projects are aligned with the criteria in [Managing Infrastructure in the Stream Environment](#) by BOR, NRCS, and USFS, Advisory Committee on Water Information Subcommittee (September 2017), to implement regulatory definition of allowable, “defensible” actions.

- *NRCS*–PL-566, **Small Watersheds Program** (PL-566): Direct that PL-566 planning dollars flow to projects that combine drought or flood-risk reduction with ecological benefit to make working lands more climate-change resilient.
- *NRCS*—EQIP and PL 566: **Fund only irrigation efficiency projects** that enhance drought resilience and reduce water use conflicts. This is accomplished by ensuring that irrigation efficiency obtained through an upgrade or repair of irrigation delivery infrastructure provides for the continued delivery of the amount of water historically consumed, while the amount of water formerly diverted that is no longer required to deliver historically consumed water remains in the source of supply.
- *FEMA* -- Promote the suite of Climate Resilient Mitigation Activities within the **Building Resilient Infrastructure and Communities (BRIC) program**. In addition, create a “pre-calculated benefit” for the Floodplain and Stream Restoration eligible activity class for the benefit per acre of floodplain reconnected to stream channel to inform Benefit-Cost Analysis (BCA) calculations, similar to the pre-calculated benefit for [wildfire](#).

Renewable Energy on Public Lands and Offshore Waters. *Part II, Sec. 207*

Successfully balancing renewable energy development on public lands requires sound policies to ensure that this development is smart from the start through landscape-scale planning and dedicated funding to mitigate unavoidable impacts. The Public Lands Renewable Energy Development Act (PLREDA) anticipates the important role that public lands will likely play in advancing the nation's renewable energy needs and creates a vital revenue stream for fish and wildlife habitat restoration. This bipartisan, bill is worthy of your support, and passage by Congress. PLREDA would establish a conservation funding mechanism to support the restoration of fish and wildlife habitat and enhance outdoor recreation through improved access to public land fishing and hunting and angling opportunities. We encourage the Biden-Harris Administration to work with Congress to make this legislation a priority.

Oil and Natural Gas Development on Public Lands and Offshore Waters. *Part II, Sec. 208*

An energy transition that shifts our society from a dependency on fossil fuels won't happen overnight. Moreover, it is critical that policy initiatives support regions that economically depend on fossil fuel extraction and ensure not only an energy transition, but also an economic transition for these communities. Pursuant to the directive to conduct a comprehensive review and reconsideration of Federal oil and gas permitting and leasing practices, we offer the following suggestions:

- **Deprioritize oil and gas leasing in low potential areas.** The Mineral Leasing Act mandates that the Secretary of the Interior hold lease sales wherever eligible lands are available for leasing. In fact, the Mineral Leasing Act specifies that authority of the Secretary is for all lands "known or believed to contain oil or gas deposits." Narrowing the scope of eligible lands can be done in a way that is consistent with federal law. Specifically, the Biden-Harris Administration should curtail leasing in areas where there is little to no potential for oil and gas. We urge the issuance of a Secretarial Order that places a moratorium on offering oil and gas leases on lands classified as low or no potential and to initiate rulemaking that will establish this prohibition in regulation. Additionally, we note that Senator Cortez Masto (D-NV) has introduced the End Speculative Leasing Act, legislation that would revise the Mineral Leasing Act to prohibit leasing "if the Federal land is designated in the applicable reasonably foreseeable development scenario as having low or no potential for development of oil or gas resources". Enacting the suggested moratorium on leasing in low and no potential areas would maintain the status quo while this legislation advances through the legislative process.
- **Lease suspension reform.** The use of suspensions often extends the life of onshore oil and gas leases far beyond the initial ten-year term, even on leases that have little likelihood of near-term development. Decisions to issue, terminate or extend a suspension are not decisions that typically involve public notice or comment even though it can greatly affect the use of public lands. Moreover, there are instances in which lease suspensions have been used improperly to extend the term of leases for reasons that may be in the lease holder's business interest, but that are not in the public's interest. We urge the Administration to evaluate the use of lease suspensions and consider revising regulations to add transparency to the process, ensure lease suspensions are only issued when a lease holder is diligently pursuing development in the public's interest, and to prevent situation in which lease suspensions are abused to improperly extend the term of an oil and gas lease.
- **Revise the oil and gas lease parcel review and lease sale process.** For over fifteen years, TU has participated in oil and gas lease sale processes. It is our experience that much can be done to

establish greater consistency between Bureau of Land Management (BLM) state offices with regard to process, transparency and opportunities for meaningful public involvement. In 2010, the BLM issued Instruction Memorandum 2010-117 to improve the lease sale process, provide for public involvement and ensure National Environmental Policy Act compliance and environmental analysis. Unfortunately, the previous Administration revoked IM 2010-117 to the detriment of informed, transparent decision-making and public involvement. We urge the BLM to reinstate sections I and III of IM 2010-117.

- **Oil and gas unit reform:** Unitization can have conservation benefits through the consolidation of facilities such as road and pipelines but, like lease suspensions, the unitization of oil and gas leases can also be used inappropriately to extend the life of leases. Additionally, unitization extends the term of all leases in the unit, even those leases that are not productive. This problem is compounded by the initial size of units that encompass acreage that most likely will never be developed, but yet benefit from unitization nonetheless. The effect is that lease terms for tens of thousands of acres are locked in, preventing new stipulations from taking effect, even when land use plans have identified additional measures necessary to protect fish and wildlife. The Administration should evaluate the Department's unitization policies and consider actions such as a Secretarial Order or rulemaking to address these issues.
- **Support legislative efforts to enact oil and gas reforms.** On March 9, 2021 the House Natural resources Subcommittee on Energy and Mineral Resources held a hearing on five oil and gas reform bills (H.R. 1492, H.R. 1503, H.R. 1505, H.R. 1506, H.R. 1517), documenting the crucial need for legislation to protect taxpayers and better balance energy development with environmental stewardship. Additionally, Senators Grassley and Rosen have introduced the bipartisan Fair Returns for Public Lands Act, companion legislation to H.R. 1517. We urge the Administration to support these efforts, as well as the aforementioned End Speculative Leasing Act, and seek every opportunity to enact these legislative proposals into law.
- **Enact legislation that will prevent energy development on sensitive public lands.** Two notable pieces of legislation have been introduced in the 117th Congress that would prohibit oil and gas leasing on some of the more important fish and wildlife habitat in the West. The bicameral Colorado Outdoor Recreation & Economy (CORE) Act (S. 173, H.R. 577), sponsored by Senator Bennet and Representative Neguse, would protect over 400,000 acres of public land in Colorado, including the Thompson Divide, National Forest lands that are home to native trout and robust herds of mule deer and elk. Similarly, the Ruby Mountains Protect Act (S. 258) would prevent oil and gas leasing on over 450,000 acres of the Humboldt-Toiyabe National Forest in Nevada, stunning public lands that are referred to as the "Swiss Alps of Nevada." Protecting irreplaceable landscapes such as these should be central to the Administration's energy strategy.

Climate Action Plans and Data and Information Products to Improve Adaptation and Increase Resilience.

Part II, Sec. 211

Minerals like cobalt, lithium, rare earth elements and dozens of others are the raw materials upon which a clean energy economy is being built. We rely on these minerals for renewable energy technologies such as battery storage, windmills and solar panels, and demand for these minerals is only going to increase. However, as with any commodity, extracting and processing critical minerals must be done responsibly, with an emphasis on avoiding and mitigating environmental impacts and protecting sensitive fish and wildlife habitat. We need a comprehensive strategy to secure these resources in a way that minimizes degradation of our lands and waters. It is crucial that the Biden-Harris Administration and Congress prioritize and fully utilize alternatives, such as recycling, substitutes to critical minerals, and engineering advancements to help meet the increasing demand. Notably, emerging technologies from research

universities and the mining industry are finding that certain critical minerals and rare earth elements can be produced as part of abandoned mine remediation projects. In other words, we can clean up abandoned mines and produce these minerals at the same time. Policies that support Good Samaritan cleanups of abandoned mines would greatly aid these efforts, and we request that the Biden-Harris Administration support funding for abandoned mine land remediation programs, administrative policies that incentivize Good Samaritan mine remediation, and the passage of legislation to provide Good Samaritans with targeted relief from liability stemming from the Comprehensive Environmental Response Compensation and Liability Act and the Clean Water Act.

Civilian Climate Corps. *Part II, Sec. 215*

We applaud President Biden for recognizing the importance of cultivating the next generation of conservation. There is ample work to be done restoring rivers and fish and wildlife habitat, as well as improving water delivery efficiency, upgrading aging infrastructure to conserve water and provide fish passage, and implement nature-based solutions at all scales for stream and river floodplain water retention to promote drought resilience and flood-risk reduction. The federal government can also advance creative financing mechanisms, to meet water demands while protecting and restoring healthy river flows. We recommend focusing on restoring rivers and fish and wildlife habitat while improving water conservation and water delivery efficiency to all sectors.

In addition, we urge the Administration to work with Congress to enact the 21st Century Conservation Corps Act, bicameral legislation introduced by Senator Wyden and Representative Neguse. Among other laudable provisions to restore and conserve our natural resources, this innovative proposal would establish a \$9 billion fund for qualified land and conservation corps programs to increase job training and opportunities in natural resource management fields.

Conserving Our Nation's Lands and Waters. *Part II, Sec. 216*

TU supports the goal of conserving 30 percent of lands and waters by the year 2030 and we view President Biden's executive order as a positive step toward mitigating climate change. As previously stated, trout and salmon are on the front lines of climate change and conserving intact landscapes and watersheds will help to not only maximize carbon sequestration services, but also preserve biodiversity by providing climate refugia for sensitive species including native trout and salmon. Conserving 30 percent of land and waters would be a significant milestone, but according to the science behind the 30x30 initiative this is not enough (Dinerstein et. al. *Sci. Adv.* 2019). To stay below 2.7°F, another 20 percent of United States lands and waters would need to be restored so that they are both resilient to climate change and can store carbon efficiently. For this reason, both protection and restoration must be central to the Administration's conservation policies and initiatives to conserve 30 percent and restore 20 percent of our lands and waters by 2030.

- **Collaboration is the key to success.** TU appreciates that E.O. 14008 instructs the Secretary of the Interior to "solicit input from State, local, Tribal, and territorial officials, agricultural and forest landowners, fishermen, and other key stakeholders in identifying strategies." The most durable conservation solutions are those crafted with diverse stakeholders at the table. We cannot overstate the importance of collaborative process and urge you to maintain this core value moving forward.
- **Flexible, durable conservation mechanisms.** While Congressional designations such as Wilderness are often described as "permanent", there are in fact no designations for federal lands that cannot be undone by Congress. Progress toward achieving the 30x30 must include designations and conservation mechanisms that may not meet the highest levels of protection, but that provide certainty that the lands and waters will continue to provide both carbon sequestration services and intact habitat to conserve biodiversity. For example, regulatory protections (like the 2001 Roadless Area Conservation Rule), and protections established by executive action should be used and

qualify toward the 30x30 goal. Land use plans may only provide temporary conservation measures, but are important and durable, too. Relevant land use plan decisions could include no surface occupancy stipulations that preclude oil and gas development, or timber suitability decisions. Common sense, not ideology, should guide decisions regarding the types of land and waters that qualify as “conserved” for the purposes of this initiative and E.O. 14008. Moreover, even Wilderness designation does not protect the waters in wilderness streams from dewatering. *See, e.g., Clark Fork Coalition v. Montana Dept of Env'tl Quality*, [2021 MT 44](#) (2021) (denying that regulatory flow protections for wilderness streams prevents dewatering from groundwater development). While there are relatively few federal strategies to protect freshwater flows permanently, (e.g., federal reserved water rights for National Forests, National Parks, Refuges, Monuments and Wild and Scenic Rivers), there are many federal approaches to deploy in concert with states, tribes and water users that conserve freshwater, including voluntary market-based flow transactions.

- **Non-federal lands are crucial to the success of 30x30.** Conserving 30 and restoring 20 percent of the nation’s lands and waters cannot be accomplished through federal lands alone given that federal lands account for approximately 28% of our country’s land base. State, Tribal and private lands and freshwater must be part of the Administration’s strategy through voluntary participation in conservation programs such as ranch and forest easements and funding for state and Tribal protection and restoration programs. Additionally, emerging tools such as Ranch Restoration Contracts and habitat leasing can be used as steppingstones to provide meaningful, long-term protection for private lands and waters that lead to full, perpetual easements in the future.
- **The methodology for tracking progress is critical to the success of 30x30.** We appreciate that E.O. 14008 required the Secretary of the Interior to “propose guidelines for determining whether lands and waters qualify for conservation” and to “establish mechanisms to measure progress toward the 30-percent goal.” Flexible, durable mechanisms for land and water conservation are necessary to realize the goal of conserving 30 percent of lands and waters by 2030. If only rigid protection designations qualify, it will not only shortchange accounting, but also forsake opportunities for meaningful land and water conservation that meets the purpose of 30x30: carbon sequestration services and maintaining biodiversity. While the USGS Protected Areas Database of the US (PAD-US) is a useful starting point, it should be refined to better represent land classifications that achieve these purposes. Specifically, while GAP codes 1 and 2 clearly count toward the 30 percent goal, there are numerous designations and land types currently coded as GAP 3 that should count toward the goal as well. For instance, Inventoried Roadless Areas are protected via regulation, but these lands are currently coded as GAP 3. Notably, Inventoried Roadless Areas are legally protected as evident by numerous lawsuits and court decisions that have prevented development of these protected lands. Similarly, National Lakeshores and Seashores are legally protected, as are mineral withdrawal areas (e.g., Wyoming Range Legacy Act), forest stewardship easements, and National Recreation Areas. The methodology utilized to measure progress toward the 30x30 goal should account for these land types. The methodology for determining protection of river and stream miles must also be consistent with the 30x30 goal. Lastly, there are numerous state and Tribal land types that also serve this purpose, including wildlife management areas and Tribal protected areas, such the South Fork Jocko Primitive Area managed by Confederated Salish and Kootenai Tribes of the Flathead Nation. We strongly recommend that the Administration consult with state and Tribal governments to ensure lands that they manage are accurately and fully considered when measuring progress toward the 30x30 goal.

It bears repeating that 30x30 is a good start, but science tells us that we must also restore another 20 percent to tackle the climate crisis. Moreover, there are momentous opportunities to collaborate with landowners in the restoration of private lands. We are encouraged that E.O. 14008 directs the Secretary of Agriculture to “collect input from Tribes, farmers, ranchers, forest owners, conservation groups, firefighters, and other stakeholders.” And we offer the following suggestions to increase the pace and scale for restoration on both public and private lands, while cultivating the restoration economy.

- **Tackle the restoration backlog.** The Great American Outdoors Act, passed in the 116th Congress, was a significant achievement, providing \$9.5 billion to address the deferred maintenance backlog on public lands. There are limitations to this funding, however, and similar legislation to address the backlog of habitat restoration is sorely needed. At the end of the 116th Congress Senator Bennet (D-CO) introduced the Outdoor Restoration Force Act, legislation that would establish a grant program and supplemental funding for Department of the Interior, Department of Agriculture and Environmental Protection Agency for efforts that enhance forest and watershed health, remediate or reclaim abandoned mines and orphaned oil and gas wells, mitigate or eradicate invasive species, enhance carbon sequestration, or otherwise improve wildlife habitat. The Outdoor Restoration Force Act would provide much-needed and missing implementation muscle for environmental laws such as the Clean Water Act, National Forest Management Act, and Endangered Species Act, just to name a few. The need for restoration work to meet existing, well-established water quality standards and species population viability standards is immense, in part because the United States spends only a fraction of its GDP on restoration compared to other countries of the world. It’s time for us to lead by example and capitalize on the full potential of the economic engine of functioning watersheds and landscapes.
- **Develop a fund to assist in removal of dams and diversions** that have outlived their useful life or where damaging impacts can no longer adequately be mitigated. While dams are long-lived structures, many of the 90,000 dams in the National Inventory of Dams were abandoned decades ago when the local mill closed or they otherwise have reached the end of their useful life. Dam removals can restore a river’s natural ecosystem and habitat, reconnect wildlife passages, revitalize fisheries, provide new recreational opportunities, and eliminate public safety hazards. A dedicated public source of funds and financing mechanism could dramatically accelerate river restoration by both (a) funding dam removal activities, and (b) assisting with the environmental liability risks sometimes associated with dam removals.
- **Work with Congress to authorize and provide funding for Columbia-Snake River Restoration.** The Snake was once the largest salmon producing system in the Columbia River Basin. To rebuild healthy, harvestable/fishable populations of Snake River salmon that meet the country’s legal and moral obligations to tribal communities and to provide new economic opportunities to river-dependent communities, the Administration should prioritize legislation that authorizes removal of the four federally owned lower Snake River dams and infrastructure investments to build back better and replace the services the dams provide. A proposal by Representative Simpson (R-ID) would remove the lower four Snake River dams and invest in infrastructure related to power replacement and stability, transportation and shipping, and economic revitalization.
- **Support Klamath River dam removal and restoration.** The Administration has an opportunity to secure a major win for climate resilience, tribal justice, and river restoration with the planned 2022-23 removal of four dams on the Klamath River at the California/Oregon border. The project removes four hydropower-only dams that provide no water supply or flood control benefit, but that block 420 miles of fish habitat. It is fully paid for by non-federal sources from the utility PacifiCorp and the states of CA and OR. We recommend assigning a point person who has the support of the Secretary to support dam removal and represent the Department in work toward a comprehensive solution

beyond dam removal for Indian water rights, agricultural sustainability, and habitat restoration (USBR, FWS, BIA). The Administration can keep dam removal on track by ensuring the Administration supports the project and partners with the Klamath River dam removal stakeholders; rescinding the Trump Administration May 17, 2019 letter to FERC regarding the project and replacing it with a letter of support; and ensuring the federal government carries out its settlement commitments associated with transfer of Keno dam to the Bureau of Reclamation. As the Klamath Basin again descends into drought, the people who depend on the river and the federal agencies are facing a very difficult summer. Leadership from the Administration can help us get through this year, secure dam removal, and bring the parties together again for a long-term comprehensive solution to manage water supplies, fish, and tribal trust responsibilities.

- **Multi-benefit floodplain projects** are one of the best opportunities to create climate resilience for fisheries, flood safety, and water supplies is through restoration projects that expand floodways and give rivers room to breathe. We recommend much greater federal investment in integrated water management projects restoring, protecting, and enhancing floodplains and managed wetlands for improved species habitat and flood risk, and to create additional public benefits such as sustaining agricultural production, improving water quality and water supply reliability, increasing groundwater recharge, supporting commercial fisheries, and providing public recreation and educational opportunities. We hope the Administration can fund and support these efforts through the U.S. Army Corps of Engineers, the Bureau of Reclamation, Fish and Wildlife Service, National Marine Fisheries Service, and other agencies.
- Support and fund the **San Joaquin River Restoration Program** settlement through the Bureau of Reclamation. The program is essential to restore river flows and salmon runs to a stretch of river that had been dewatered for half a century.
- The recently reauthorized **National Fish and Wildlife Foundation** leverages private money and underwrites fisheries habitat projects that are immensely productive. Stimulus funding should be used to supplement the appropriated funding levels for fish passage, water security, and watershed resilience, including culvert replacement, fish screens, upgrades to irrigation diversion structures or irrigation water distribution systems, and natural water storage.
- **Invest in U.S. Fish and Wildlife Service programs.** The U.S. Fish and Wildlife Service provides support and funding for several restoration-focused programs that build the resiliency of watersheds impacted by climate change. Specifically, the Administration should take action to increase the positive, multi-benefit impact of the following programs:
 - Increased funding for the **National Fish Passage Program** would enable partners to expand efforts to fix obsolete culverts and remove outdated barriers to fish passage to increase fish habitat and improve the health of watersheds.
 - The **Partners for Fish and Wildlife Program** would benefit from additional funding, enhancing collaboration between partners and private landowners to improve fish and wildlife habitat.
 - The recently authorized **National Fish Habitat Partnership** provides landscape-scale conservation of key trout and salmon resources nationwide, via partnerships with state, tribal and landowner partners. The program can be improved by reducing cost-share requirements and increasing the authorized appropriated levels.
 - The **Delaware River Basin Restoration program** is a voluntary grant and technical assistance program that directs the Secretary of the Interior to produce a basin-wide strategy. The strategy draws on existing conservation efforts, involves partners, and provides for the implementation of a shared set of science-based restoration and protection activities. Additional funding would allow partners to scale up these projects.

- The Administration should support reauthorizing the **Sport Fish Restoration Act of 2020**, a longstanding pillar of state and federal partnership that supports habitat restoration and sport fisheries.
 - Investments in the **Aquatic Invasive Species Program** would reduce the spread of invasive species in watersheds throughout the country.
 - The Refuge Revenue Sharing Act authorizes payments to be made from the **National Wildlife Refuge Fund** to offset tax losses to counties in which National Wildlife Refuges are located. These payments are derived from receipts of revenue-generating activities on refuge lands, such as grazing and timber harvest consistent with refuge purposes. If the net revenues are insufficient to make full payments, then direct appropriations may be authorized to make up the shortfall. Full funding for the National Wildlife Refuge Fund is important to ensure local communities continue to support national wildlife refuges.
- **Invest in NOAA Programs.** TU works with NOAA fisheries to create locally-driven multi-stakeholder partnerships to implement voluntary restoration projects. These efforts bring people together to find solutions that work for everyone. NOAA’s Community-Based Restoration Program has been an important partner in this work. These projects create habitat benefits for imperiled salmon and steelhead, but also create ways for built infrastructure to work in harmony with important riverine processes and tidal habitats. From Puerto Rico to California, the Community-Based Restoration Program has contributed nearly \$203 million to more than 2,180 coastal habitat restoration projects since its inception in 1996. These projects have restored more than 92,000 acres of habitat and opened more than 4,120 stream miles for fish migration.
 - In addition, habitat restoration in coastal areas generates, on average, [17 jobs per million dollars spent](#), which is higher than extractive industries such as coal and gas. Edwards, P.E.T., A.E. Sutton-Grier, and G.E. Coyle. 2013. “Investing in Nature: Restoring Coastal Habitat Blue Infrastructure and Green Job Creation.” *Marine Policy* 38 (March): 65–71. We recommend:
 - Increasing funding for the **Pacific Coastal Salmon Recovery Fund**: through which NOAA provides funding to the states and tribes of the Pacific Coast region to implement projects that restore and protect salmon and steelhead populations and their habitats.
 - Increasing funding for **NOAA’s Habitat Conservation and Restoration Program**, which restores fisheries, revive populations of protected species, and improve the resiliency of coastal communities. Within this program, TU is particularly supportive of the **Community-Based Restoration Program (CBRP)**. The CBRP supports locally driven and voluntary coastal restoration projects with national, regional, and local organizations through competitively awarded public-private partnerships.
 - **Protect and conserve the Great Lakes.** While much of the emphasis for 30x30 has been placed on lands and oceans, we urge the Administration to fully consider conservation and restoration strategies for freshwater resources. In particular, the Great Lakes are one of the world’s largest freshwater ecosystems, comprising 84% of North America’s surface fresh water. The Great Lakes Restoration Initiative, a Clean Water Act regional program, has produced a high return on investment for climate resilience and restored fisheries, and we urge the Biden Administration to support full funding for this program. Additionally, the Great Lakes are home to marine protected areas, such as the Wisconsin Shipwreck Coast National Marine Sanctuary (a unit of the National Marine Sanctuary System), as well as state-designated areas such as the Whitefish Point Underwater Preserve established by the state of Michigan. It would be valuable to consider the role that these types of freshwater designations could play to help meet the goal of conserving 30 percent of the nation’s lands and waters.

Recommendations for an agricultural and forestry climate strategy. *Part II, Sec. 216 (b)(i)*

Over the past two decades, forests in the western United States have been subjected to unprecedented periods of extended drought, making them vulnerable to massive beetle kills. The combination of dead trees and decades of fire suppression have left much of the West a tinderbox. Climate change pushes the fire seasons longer as runoff from snow occurs earlier and as a result, dry heat extends later into the fall. Our challenge is to prevent fires that threaten communities, fix what ails the forests, and address the underlying threat posed by climate change. Central to this effort must be restoring overall forest ecosystem health so that fire can play a more natural and less destructive role in forest ecosystems.

To this end, we encourage the Administration to seek **additional funding for the Forest Service** to mitigate fire risk and make watersheds more resilient, as well as to repair and restore watersheds impacted by fire. For example, wet meadow and beaver-assisted restoration to reduce the severity of fire coupled with post-fire activities to stabilize uplands and prevent the spread of invasive weeds are the types of activities in need of funding. Additionally, a portion of the proceeds from both Forest Service timber sales and stewardship contracting should be used to fund restoration.

The **Watershed Condition Framework** and **Water Source Protection Program** are two programs that were established in the 2018 Farm Bill to carry out watershed protection and restoration projects on National Forest System lands. These programs are designed to foster collaboration and provide multiple benefits for the public and watershed health, but they have yet to be fully implemented or funded. We support full funding of these programs and encourage widespread implementation.

Public-private partnerships play a vital role in forest restoration. One specific action that the Administration can take to support private forest conservation is to allocate an increased portion of the Land and Water Conservation Fund to private forest conservation easements through the **Forest Legacy Program (FLP)**, including increased state grants to add capacity for administering the program. The FLP prevents residential development of private forest lands while allowing certain forest management activities consistent with the program's purpose, including the protection of fish and wildlife values. It is important to ensure that the Forest Service and state agencies have the capacity and systems in place to effectively use FLP funding.

The Administration should also aggressively pursue opportunities to **expand stewardship contracting** on national forests and lands managed by the Department of the Interior. Stewardship contracting provides a way to sustainably harvest wood products while also financing thinning, road obliteration, riparian restoration, and stream restoration work. One challenge for stewardship contracting is the fact that mill capacity has declined to a point that some contracts are not even bid on. To remedy this, priority should be given to stewardship contracts close to existing mills. Also, the limited practice of using stewardship contracting to log unsustainable, old-growth timber should be prohibited. This practice conflicts with congressional intent. Lastly, the Forest Service does 99% of stewardship contracting even though BLM has the same authority. The Secretary of the Interior should identify obstacles to BLM increasing its use of this tool and remove them.

Additionally, the **Collaborative Forest Landscape Restoration Program (CFLRP)** should be fully funded and permanently authorized. The CFLRP is a partnership-based program to enhance forest and watershed health, reduce risk from uncharacteristic wildfire, and benefit rural economies through collaborative, science-based land management and watershed restoration. As noted in the [10-year report to Congress](#), "CFLRP projects created nearly \$2 billion in local labor income and supported an average of 5,440 jobs annually. CFLRP opportunities brought together over 420 organizations to engage in local collaboratives and attracted over \$470 million in partner funding and in-kind contributions, including work on private and State lands." The 2018 Farm Bill reauthorized CFLRP through 2023 and increased funding from \$40 million

to \$80 million. Fully funding CFLRP and permanently authorizing the program before it sunsets should be a priority.

An agricultural climate strategy starts with prioritizing climate resilience in implementation of NRCS programs. Attached are the top seven recommendations for NRCS program administration under existing Conservation Title authorities from TU and partner conservation organizations.

Empowering Workers Through Revitalizing Energy Communities. *Part II, Sec. 217*

Runoff from tens-of-thousands of abandoned mines impact watersheds throughout the United States, but inadequate funding and liability concerns have limited the ability for the private sector to play a significant role in the clean-up of these mines. The Biden-Harris Administration can support job creation and restoration activities by increasing federal efforts to work with states and NGOs to increase the pace of abandoned mine clean-up, both in eastern coal country and in western hardrock mining areas. In both the East and the West, Trout Unlimited restoration specialists have long worked with state and federal agencies, landowners and the mining industry to tackle abandoned mines cleanups, but there is much more work to do. The following policy initiatives would improve not only the health of mining-impacted watersheds, but also the economic health of communities in these regions.

- **Increase funding** for Forest Service and BLM abandoned mine cleanup programs.
- **Support efforts to introduce and pass Good Samaritan legislation** to support the clean-up of abandoned hardrock mines.
- **Increase the use of EPA's administrative tools** is to reduce barriers under the Comprehensive Environmental Response, Compensation, and Liability Act for Good Samaritans to clean up non-point source pollution at abandoned hardrock mines.
- **Support Surface Mining Control and Reclamation Act Amendments** to reauthorize the Title IV Abandoned Mine Land Fund, which expires in 2021, for the clean-up of our land and water resources and communities that continue to suffer because of abandoned coal mine pollution. The Abandoned Mine Land (AML) Fund is the primary source of funds for abandoned mine clean-ups, without which these sites will continue to pose public and environmental hazards.
- **Support passage of the RECLAIM Act (HR 1733)** to authorize the use of \$1 billion of unappropriated funds over five years from the Abandoned Mine Land Fund for distribution to states and tribes to accelerate the cleanup of abandoned coal mine sites. TU urges inclusion of compromise language agreed to recently by the state AML agencies and environmental groups, to ensure this funding can be used effectively on projects.
- Work with Congress to pass the **Community Reclamation Partnerships Act (HR1146)**, which will increase the ability of third-party groups, such as Trout Unlimited and our watershed restoration NGO partners, and counties, to enter into cooperative agreements with states to accelerate the remediation of streams and watersheds affected by abandoned coal mine sites.