

The Honorable Deb Haaland  
Secretary of the Department of the Interior  
1849 C St NW  
Washington, DC 20240

June 16, 2021

Dear Secretary Haaland:

In light of the report recently released by the U.S. Fish and Wildlife Service and the U.S. Geological Survey that documents harmful impacts to the environment from sand mining, we are writing to request that you reinstate the Coastal Barrier Resources Act's (CBRA) protections against federally-funded sand mining in the areas protected by the Coastal Barrier Resources System (CBRS).<sup>1</sup> Our organizations represent conservationists, sportsmen, state officials, taxpayer advocates, marine and public policy researchers, environmental leaders, and insurers who support the CBRA and its protections. In November 2019, the Trump Administration abruptly overturned the CBRA's prohibition against federal taxpayer dollars being used to mine sand in sensitive CBRS areas for use outside of the CBRS, casting aside 25 years of bipartisan adherence to the law's basic restrictions. The June 2, 2021, report by the USFWS-USGS provides new documentation of the short- and long-term damage to the coastal environment, fisheries, habitat and coastal resiliency that results from the sand mining that the Trump Administration wrongly greenlit under the CBRA. This information makes it clear that the CBRA must be restored so that it can continue to protect coastal resources, support resiliency, and save tax dollars.

Congress specifically enacted, and subsequently expanded, the CBRA in order to shield some of America's last remaining undeveloped coastal areas from federal expenditures that support development. The CBRA's primary objective is to protect vitally important habitat, save federal tax dollars, and promote public safety by withdrawing federal funds that underwrite risky development. The law has saved the federal taxpayer nearly \$10 billion since its inception while protecting habitat that is crucial to birds, economically important fisheries and shellfisheries, and other wildlife.

The new USFWS-USGS report, entitled *Impact of Sediment Removal from and Placement in Coastal Barrier Island Systems*, documents myriad harmful impacts to the coastal environment and downstream coastal communities from sand mining, as summarized in the USFWS's "Frequently Asked Questions" addendum to the report:<sup>2</sup>

- *Seafloor habitats and the food chain they support can be seriously harmed.* Changes caused by sand mining can impact the habitat of seafloor organisms, which are important food resources for shore and waterbirds and other marine species. "Benthic habitats and the

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<sup>1</sup> *Impact of Sediment Removal from and Placement in Coastal Barrier Island Systems*, U.S. Dep't of the Interior and U.S. Geological Survey, Open-File Report 2021-1062, available at <https://doi.org/10.3133/ofr20211062>.

<sup>2</sup> *Report: Impacts of Sand Removal from and Placement in Coastal Barrier Island Systems, Frequently Asked Questions*, U.S. Fish & Wildlife Serv., available at <https://www.fws.gov/cbra/documents/FAQs-USGS-FWS-Coastal-Barrier-Report.pdf>.

organisms that live in and on the seabed are directly and immediately impacted by sediment removal [sand mining],” which causes “immediate mortality and reduced abundances of benthic organisms.” Sensitive seafloor habitats, such as seagrasses, corals, and hard bottoms can be negatively impacted.

- *Sand mining can cause long-lasting harm to birds, fish and shellfish, and other wildlife.* Sand mining threatens to fish and marine species “emerge from direct entrainment and entanglement of organisms, suspended/settled/contaminated sediment, noise, and physical changes” at the mining site. Sand mining can also harm “migration paths or foraging areas in which individuals congregate, or spawning, nursery or overwintering habitats.” Removal of sediment “from shoals, mudflats, and sandbars can affect habitats that are vital to overwintering and migrating shore- and waterbirds . . . [and] detrimental effects to shore- and waterbirds through the food web can persist for months to several years.” Threatened and endangered birds, such as the *rufa* Red Knot and Piping Plover, depend on shoals, inlets and beaches for feeding, nesting, roosting and resting during migration. Impacts to these important habitats will further threaten these sea- and shore-birds that have seen a 70 percent decline over the last several decades.
- *Effective measures to mitigate negative impacts from sand mining have not been developed and are not known.* The USFWS, USGS and experts in the field currently do not know how to avoid harmful effects from sand mining. The USFWS and USGS found that “[e]ffective mitigation of adverse effects at removal and placement sites is a key knowledge gap that limits the ability to predict impact and define area closures.”
- *Coastal resiliency can be reduced by sand mining, that at the same time can threaten the safety of downdrift communities.* “Sediment removal . . . can impact short- and long-term coastal resilience . . . sediment removal at one location may cause downdrift shoreline erosion and reduced sediment supply at other locations. These impacts may be exacerbated by sea-level rise.”

The USFWS-USGS report documents a myriad of adverse and negative impacts from sand mining, which are the kinds of harmful damage that the CBRA was intended to protect coastal barrier resources from. The CBRA was enacted nearly 40 years ago, and expanded as recently as 2018, in order to protect undeveloped coastal areas from taxpayer-funded activities that harm the environment, spend valuable federal funds, and encourage unwise development. We urge you to act immediately to restore this pragmatic and protective law so that its full, intended benefits can be realized.

Sincerely,

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