

**American Bird Conservancy * Center for Biological Diversity
Conservatives for Responsible Stewardship * Defenders of Wildlife
Earthjustice * Environment America
Epic-Environmental Protection Information Center * Georgia Forest Watch
Idaho Conservation League * Jean-Michel Cousteau's Ocean Futures Society
Kentucky Heartwood * Klamath Forest Alliance
League of Conservation Voters * National Audubon Society * Sierra Club
National Wildlife Refuge Association * Natural Resources Defense Council
San Juan Citizens Alliance * The Trust for Public Land
The Wilderness Society * Voces Verdes * Wild Virginia**

April 11, 2016

Dear Congressman,

We understand that the House Natural Resources Committee will soon consider a draft of the Puerto Rico Oversight, Management and Economic Stability Act (PROMESA). On behalf of our millions of members and activists we write to urge you to strongly oppose two environmentally-damaging provisions in the draft legislation. The first, Section 411, aims to take thousands of acres of the Vieques National Wildlife Refuge away from the American people thereby placing nationally-protected endangered species habitat under threat of bulldozers and development and encouraging efforts to sell off public lands for private gain. The second, is Title V of the draft legislation which eliminates citizen input, public scrutiny, environmental review, and limits judicial review under the National Environmental Policy Act (NEPA) for large-scale projects chosen by an unelected board. We urge you to oppose these provisions and work to remove them from PROMESA.

Section 411 of PROMESA would allow the Secretary of the Interior to convey a significant portion of the west coast of Vieques National Wildlife Refuge to the Commonwealth of Puerto Rico for development or sale. This provision, to completely remove the National Wildlife Refuge status and hand over public lands with the stroke of a pen must be seen for what it is, just another congressional attempt to sell off, give away or otherwise undermine our public lands for the benefit of special interests. We must stand up to protect this national wildlife refuge for the benefit of endangered wildlife, Puerto Ricans, and all Americans.

The Vieques National Wildlife Refuge is an American treasure. Ranked in the top five best refuges in America above refuges in Hawaii, the Rockies and Alaska, this magnificent refuge is a true safe haven for wildlife. The warm sands along the undeveloped beaches of the refuge provide ideal nesting for endangered sea turtles. Spectacular animals like Antillean manatees, fisherman bats and hundreds of birds from the Little Blue Heron to the Great Egret, rely on the refuge and its surrounding waters. This special place is home to at least fourteen threatened or endangered plants and animals. The refuge and the protections it provides are also important economic drivers in Vieques with over 300,000 tourists visiting its pristine beaches and protected wildlife every year.

The PROMESA draft puts all of this at risk. It gives the Secretary of Interior the authority to strip away refuge protections and convey the land to an economically distressed government that lacks the resources to protect and manage the land. It also grants the right to "further convey" or sell the

land to private interests, showcasing the true intent of the provision – to sell off public lands for private development and exploitation. PROMESA should address the fiscal crisis in Puerto Rico. It is unacceptable that this crisis should be used as leverage by those who want to turn America's public lands into private or state development zones

Title V of PROMESA is also extremely troubling. It allows an unelected board to designate "critical project" status to huge energy and infrastructure projects with little to no oversight. Under the current draft legislation, this "critical project designation" would lead to removal of environmental review, public oversight and input. And would put public health and safety at risk. NEPA provides transparency by requiring that the government look at the social and environmental impacts of a project and make that information public. It also guarantees the public has a say in critical decisions affecting their lives. But, Section 505(d) of PROMESA is a complete waiver of NEPA for federal agencies dealing with "critical projects."

The NEPA waiver is simply a part of an anti-regulatory agenda and is not responsive to the debt crisis in Puerto Rico. As the American Recovery and Reinvestment Act (ARRA) illustrates, NEPA has never stood in the way of economic recovery. Under the ARRA, more than \$300 billion dollars was spent to support 275,000 projects to assist in the economic recovery. Those projects required nearly 200,000 NEPA reviews – all of which were completed in a timely manner. Far from preventing economic recovery NEPA actually facilitated a recovery that was inclusive of public concerns, responsive to environmental issues, and which ended up saving taxpayer dollars by identifying unnecessary expenditures. Title V provides nothing to stimulate the Puerto Rican economy. It is simply an unnecessary attempt to give developers the power to silence the Puerto Rican people.

Title V also undermines judicial access. The current statute of limitations for filing objections to major projects is two to six years. Under PROMESA the public would have only 30 days to object to projects selected by the oversight board. The severely reduced deadline is intended to prevent citizens from challenging government decisions in court. It would require a citizen to analyze very complicated and impactful projects with sufficient detail to file a legal challenge in just 30 days, all while taking care of their family, holding a job and addressing countless other responsibilities of everyday life. In a practical sense this is an attempt to bar citizen access to the courts.

Doing away with NEPA and curtailing judicial review is synonymous with keeping local citizens in the dark and without any recourse in the wake of major development projects like power plants that can have significant impact on their lives and the environment. This is a real issues of public health and safety as some of the projects that could be deemed "critical" involve high levels of toxic chemicals like lead, mercury and ammonia. Silencing the voice of local communities should not be the price to obtain an economic recovery package. Puerto Rican recovery projects should not happen without the input of the Puerto Rican people as these major decisions will impact their lives and their livelihoods.

For these reasons we strongly urge you to work to remove both the refuge conveyance and Title V from the PROMESA legislation.

Thank you,

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