Statement of
The Honorable Eddie Bernice Johnson, Chairwoman
Subcommittee on Water Resources and Environment
Hearing On
"Agency Budgets and Priorities for FY 2010 (Part 1)"
June 3, 2009

Today's hearing marks the first of two hearing on fiscal year 2010 budget and priorities of agencies under the jurisdiction of the Subcommittee. At today's hearing, the Subcommittee will receive testimony from the Environmental Protection Agency, the Natural Resources Conservation Service, the Saint Lawrence Seaway Development Corporation, the National Oceanic and Atmospheric Administration, and the Tennessee Valley Authority.

On the afternoon of June 16th, the Subcommittee will hear testimony from the Corps of Engineers, the International Boundary and Water Commission, and the Agency for Toxic Substances and Disease Registry.

With respect to the President's budget request, let me start by saying that "change" has finally come, and for most of the agencies here this morning, it is a welcome change. Only a year ago, I was concluding that the budget request of the previous administration was "not adequate to meet the nation's needs."

Today's message is much more optimistic, at least with respect to investment in the nation's growing wastewater infrastructure needs, and the commitment to clean, safe, and secure water for all Americans.

For the Environmental Protection Agency, the President's fiscal year 2010 request is $10.5 billion – the greatest level of funding requested for the agency since its inception – and almost $3.5 billion more than last request of Bush administration for the agency. Similarly, the administration's request for the Clean Water State Revolving Fund is $2.4 billion – the greatest level of funding requested for this program since it was enacted in 1987 – and one that renews the Federal commitment to meeting the nation's growing wastewater infrastructure needs. The administration needs to be commended for producing a budget that, for the most part, restores the prospect of a cleaner, more sustainable future.

However, I would be remiss if I did not state that, in certain areas, this budget could still undergo some improvement. For example, in EPA's Superfund program, although the administration's requests an increase in funding for the program, the budget request has revised downward the number of sites that will be cleaned up in the current fiscal year – from 35 sites to 20. In addition, the estimated number of Superfund "construction complete" sites for fiscal year 2010 is only 22 sites. While this is an every-so-slight increase in the pace of cleanup, it is still way off the pace that this agency has demonstrated in the past.

I would gather that a leading factor for the slowdown in cleanup has been a lack of available funding for this program over the past few years, and a slow-down in the "Superfund pipeline" of moving cleanups from the investigation phase to the design phase to the implementation of effective cleanup plans. To that end, I am pleased that the administration

has renewed the call for the reinstatement of the taxes on petroleum, chemical feedstocks, and corporate income that traditionally funded hazardous waste cleanups under the Superfund program. This effort, which was abandoned under the last administration, should allow for an increase in the number and pace of cleanups, and a return to the goal of "polluter pays."

Another area of the budget that needs improvement is the request for the Natural Resources Conservation Service watershed surveys and planning program, and its watershed and flood prevention operations program. The fact that the President's budget eliminates funding for these programs fails to recognize the vital role of the agency in protecting and restoring watershed damaged by erosion, flood water, and other natural occurrences. These programs have proven critical for improving the quality of waters located in the agricultural regions of the nation.

I am pleased that representatives of the Saint Lawrence Seaway Development Corporation, the National Oceanic and Atmospheric Administration, and the Tennessee Valley Authority could also join us this morning. Like EPA and NRCS, the budgets of these agencies have points of praise and points to criticize.

I am heartened to see that the President's fiscal year 2010 budget continues the commitment to renew of the physical assets of the Seaway, as called for in the Water Resources Development Act of 2007. This vital corridor between the Great Lakes region and the Atlantic Ocean is critical to the regional economies surrounding the Seaway, and to the hastened recovery and sustainability of the nation's economy.

However, I am concerned about the decision by the President to eliminate funding for NOAA's coastal non-point source pollution control programs.

I understand the recognition in today's testimony about how nonpoint source pollution control funding appears in the budgets of several Federal agencies – which I would surmise is an excuse of why funding for NOAA's coastal nonpoint program was eliminated.

However, since all three agencies are here today, it is fair to state that combined effects of the elimination of NOAA's coastal non-point program, the flat-funding of EPA's non-point source program, and the slight increase in NRCS' environmental quality incentives program will not adequately address the continuing impacts of nonpoint source pollution on the nation's waters.

If we are serious about addressing nonpoint sources of pollution, we need to be honest about the investments that are actually being made to control what has become the single largest source of impairment to the nation's streams, lakes, and estuaries.

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