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COMMITTEE ON
WAYS AND MEANS
SELECT REVENUE MEASURES
WORKER AND FAMILY SUPPORT
OVERSIGHT



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House of Representatives

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Written Testimony of Congresswoman Gwen Moore
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Chairman DeFazio, Chairwoman Napolitano, Ranking Member Graves, and Ranking Member Westerman,

Thank you for the opportunity to talk today about my priorities for the next WRDA authorization bill.

The work of the Army Corps is critically important to my community and others on the Great Lakes. From its navigation work (dredging, maintaining and repairing breakwaters, and locks and dams) to its efforts to stop invasive species such as the Asian Carp in the Great Lakes, the Corps is important to the economic and environmental vitality of my district.

A top priority in my district is the protection of water quality and support for needed water infrastructure investments. The last WRDA included numerous provisions that have helped move the ball forward in protecting this precious resource, but more can be done. This is the opportunity to keep building on that foundation and help ensure that Corps can continue to work with local and state stakeholders to address the various needs.

There is an African proverb that “water has no enemies.” We all need it. Yet, between droughts, climate change, and insufficient infrastructure investments, access to clean water remains a critical challenge for too many communities. Congress can and must help.

I would urge this committee to use this WRDA to increase support for Corps activities around water infrastructure, including in the Great Lakes region.

Protect the Great Lakes

The Great Lakes are vital to our region and the nation. Protecting the Great Lakes is a pro-environment and pro-business position. The benefits of doing so flow to individuals, businesses, and state and federal tax coffers.

Over 33 million people live in the Great Lakes Basin, about one-tenth of our country’s population and one-quarter of Canada’s. The Great Lakes hold one-fifth of the world’s fresh water supply and 90 percent of the United States’ fresh water supply

I am pleased to join my colleagues in talking about these five lakes and the millions of people who live, work, and recreate around them. Yet, we know that a long string of threats have threatened and continue to face the Great Lakes, threats that have serious consequences for the region and the nation. One of those threats should not be inaction by this Congress. We have the opportunity—including through WRDA — to help put in place key mechanisms to help protect this treasure

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By protecting the Great Lakes, we protect jobs, help improve water quality, and protect the health of people and wildlife. There are a number of ways Congress can use this WRDA to build on ongoing progress and to continue to assure our state and local partners that the Great Lakes will remain a focus.

Water Infrastructure

I urge you to support changes to the Sewer Overflow and Stormwater Reuse grant program authorized in the 2018 WRDA to set aside additional funding for Great Lake states to prevent combined sewer overflows that can lower water quality and impact public health.

Combined Sewer Overflows (CSO) affect over 800 communities nationwide, including at least 184 in the Great Lakes region according to the EPA¹. As a result of these overflows, billions of gallons of raw sewage and stormwater end up in our nation's waters, including the Great Lakes, each year.

CSO events can be detrimental to human health and the environment because they introduce pathogens, bacteria and other pollutants to receiving waters, causing beach closures, contaminating drinking water supplies, and impairing water quality.

Public investment in updating wastewater systems is vital as it creates jobs, saves money and results in cleaner Great Lakes. Many municipalities have plans for sewer system improvements that will significantly cut CSOs but struggle to fund those plans. Congress recognized this challenge when it reauthorized the Combined Sewer Overflow and Stormwater Reuse grant program in the 2018 WRDA, including by emphasizing the use of green infrastructure to help mitigate this problem.

Green infrastructure helps address this issue by alleviating the need for storage by soaking up stormwater and pollution before it enters a combined sewer system and providing natural "treatment," thus reducing the flow entering the treatment plant. Additionally, green infrastructure investments can often be less costly than traditional gray infrastructure solutions.

My proposal would increase funding overall for the existing CSO grant program by \$50 million and direct that funding for a new initiative for municipalities within the Great Lakes region.

These projects benefit not only the directly affected communities themselves, but surrounding communities that at one time were on the receiving end of these discharges. Water is a shared resource. Moreover, supporting efforts like this that help clean up and protect the Great Lakes today will pay dividends tomorrow.

¹ https://www.epa.gov/sites/production/files/2016-05/documents/gls_cso_report_to_congress_-_4-12-2016.pdf

Again, the next WRDA bill must reauthorize and strengthen this important program, including authorizing specific funding for Great Lakes communities, to ensure that affected states and cities have all the options they need to solve this vexing public health and environmental problem.

Great Lakes Navigation System

Each year about 145 million tons of commodities move through Great Lakes ports and related navigation infrastructure. Inadequate funding and growing maintenance needs pose serious economic consequences in the Great Lakes and elsewhere throughout our nation. We need to invest in upgrading and maintaining vital locks, repairing breakwaters, and ensuring that harbors and channels are properly dredged.

I want to see more traffic moving into and out of the Lakes. A 2010 economic impact study found that Great Lakes shipping supported over 128,000 U.S. jobs, generating \$18.1 billion in business revenue, and another \$2.7 billion to federal, state and local tax coffers. Those numbers have only grown since then.

That's not going to happen without adequately funding the Army Corps of Engineers' operation and maintenance activities in the region, such as regular dredging of harbors, maintenance of breakwaters, and operation and upgrading of critical navigation infrastructure such as the Soo Locks.

Despite progress, the region still suffers hundreds of millions of backlogs in dredging, breakwater repairs that are critical to protecting harbors and waterfronts, and upgrades to other necessary infrastructure.

Businesses, farmers, port workers and all who depend on being able to ship and receive materials will be impacted by the inability of the Corps to dredge and keep navigation infrastructure in a state of good repair.

One way to do that is to ensure that all of the taxes paid on cargo going through our ports are used to support the needed investments. Almost three decades ago, Congress created the Harbor Maintenance Trust Fund to collect these taxes with the intention that the funds would pay dredging and other navigation investments. However, the annual decision on how to spend those funds was left to Congress which failed to direct all the revenues for the purpose of supporting the maritime trade infrastructure. As a result, the balance in the Trust Fund is growing (nearly \$9 billion currently) while many port and navigation needs go unaddressed. I fully support the efforts by Chairman DeFazio to ensure that this funding is unlocked in order to help address needs in the Great Lakes and across the nation. Hopefully, this WRDA provides an opportunity to enact those proposals into law.

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Environmental Justice

Any new WRDA must continue to reiterate to the Army Corps the importance of ensuring that all communities affected by its policies and activities, especially minority, tribal, and low-resourced communities, have a meaningful say in those decisions.

I urge the Committee to include a provision requiring and reaffirming that the Army Corps of Engineers shall make every effort to seek to actively identify and address any disproportionate and adverse health or environmental effects of its programs, policies, practices, and activities on communities of color, low-income communities, rural communities, and Tribal and indigenous communities and to promote meaningful involvement and consultation with these communities in the development, implementation, and enforcement of Corps projects and other activities such as permitting.

I also urge the committee to include a provision in the new WRDA to ensure that the Corps completes and makes publicly available the report on community engagement required in section 1214 of Public Law 115-270 and the status of the Corps implementation of any recommendations springing from that report.

I hope that you share my concern that given the scope of the Corps involvement in communities across the nation, it is critical that the Corps have strong policies in place to meaningfully engage and work with communities of all demographics and address community concerns, rather than dismiss them.

Section 219

States and local communities are increasingly looking for ways to partner with the Corps to address pressing water and environmental needs. Under Section 219, the Secretary is authorized to provide assistance to non-Federal interests for carrying out water-related environmental infrastructure and resource protection and development projects, including wastewater treatment and related facilities and water supply, storage, treatment, and distribution facilities.

This authority has been used in the past to help advance water related projects throughout the country. However, the use of this provision has declined over the years given that Congress has not added any new projects in some time. The Corps has no discretionary authority to commence new projects without project specific authorizations which has not been forthcoming. Many communities, including my own, realize this is a valuable authority that could be used to undertake needed environmental projects. Unfortunately, the current reality is that there is no way for the corps to tap this authority for new projects. Any final bill should address this reality in a way that recognizes and complies with House Rules,

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including adopting or adapting the provision from the last Senate committee approved WRDA bill that would facilitate new feasibility studies under Section 219.