

**Statement of Congressman Paul A. Gosar, D.D.S (AZ-04)**  
**Appropriations Subcommittee on Energy and Water Development, and**  
**Related Agencies**  
**Members' Day Hearing**  
**March 8, 2017**

Thank you Chairman Simpson and Ranking Member Kaptur for the opportunity to testify before the Subcommittee. I'm Congressman Paul Gosar and I represent Arizona's Fourth Congressional District. I am also Chairman of the Congressional Western Caucus, Chairman of the House Committee on Natural Resources Subcommittee on Energy and Mineral Resources, and Vice-Chairman of the House Committee on Oversight and Government Reform Subcommittee on the Interior. Critical programs and oversight activities addressed by the Energy and Water Development, and Related Agencies bill fall under my purview as a result. I would like to take this opportunity to discuss several of those here today.

Last fiscal year's subcommittee bill contained a rider prohibiting any changes to federal jurisdiction under the Clean Water Act, effectively preventing funds from being spent to implement the Waters of the United States (WOTUS) Rule put forth in 2015 by the U.S. Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA). The WOTUS rule attempted to assert Clean Water Act jurisdiction over nearly all areas with even the slightest of connections to water resources, including man-made conveyances. Farmers, ranchers, job creators and private property owners would suffer under this overreaching water grab. WOTUS contradicts prior Supreme Court decisions and seeks to expand agency control over 60% of our country's streams and millions of acres of wetlands that were previously non-jurisdictional.

WOTUS was slated to go into effect August 28, 2015. Fortunately, the Sixth Circuit issued a nationwide stay that has temporarily blocked implementation of this new rule. Even more promising, just last week President Trump signed an executive order requiring the EPA and

Corps to rescind and revise any aspects of WOTUS inconsistent with federal law. This was great news and I was honored to join the president in the Oval Office for the signing. While I have great confidence in President Trump and Administrator Pruitt, the review required by the order will take time and there could be subsequent legal proceedings. Accordingly, Congress must once again take a clear position against WOTUS and retain the important provision prohibiting expansion of the Clean Water Act in this fiscal year's bill.

Another important rider from last year's bill that must be maintained defunds the Obama Administration's Social Cost of Carbon models. These flawed metrics can be easily manipulated, in order to attempt to justify new job-killing regulations. For instance, the Obama Administration attempted to justify the EPA's methane rule using the Social Cost of Carbon stating that the rule would supposedly yield climate benefits of \$690 million in 2025. Those speculative benefits, that can be easily manipulated, supposedly outweigh the \$530 million that the rule is expected to cost businesses and job creators in 2025 alone. The House has passed at least 11 different amendments rejecting the Social Cost of Carbon in the last two Congresses alone. We must block these flawed models once again in this year's bill.

Section 507 of the base bill last fiscal year contained a provision prohibiting the removal of any federally-owned or operated dams in fiscal year 2017. I thank the Subcommittee for including this important provision and once again ask that it be retained. In recent years, extremist environmental groups have increased efforts to dismantle and remove federal dams. These efforts defy commonsense, particularly at a time of major water challenges across the West and with an increasing need for clean hydropower. Electricity generated from Corps and Reclamation operated dams is utilized by millions of Americans every day. Many of these dams are essential components for flood control, strategic water storage, and life-sustaining irrigation

for millions of acres of American agriculture. Tens of millions of Americans rely on these dams to supply their drinking water and support their livelihoods. The vital water, energy, economic, and ecological benefits provided by federally-owned and operated dams must be protected. I once again ask the Subcommittee to retain the important provision prohibiting the removal of any federally-owned or operated dams in fiscal year 2018.

Finally, I would like to ask that the Subcommittee continue to provide important resources for the Corps of Engineers' Construction and Investigations budgets. These accounts ensure the timely development of critical water and infrastructure projects that provide benefits for communities throughout the nation. We must continue to provide adequate resources for the important projects funded by these accounts.

I appreciate the opportunity to testify today. I would like to thank the Chairman, Ranking Member and all members of this Subcommittee for your important work. The Western Caucus looks forward to coordinating closely with all of you in the future. Thank you Chairman Simpson and with that I yield back.