

Committee on Energy and Commerce
U.S. House of Representatives
 Witness Disclosure Requirement - "Truth in Testimony"
 Required by House Rule XI, Clause 2(g)

1. Your Name: <i>Jennifer Moyer</i>		
2. Are you testifying on behalf of the Federal, or a State or local government entity?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
3. Are you testifying on behalf of an entity that is not a government entity?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4. Other than yourself, please list which entity or entities you are representing: <i>U.S. Army Corps of Engineers, Headquarters</i>		
5. Please list any Federal grants or contracts (including subgrants or subcontracts) that you or the entity you represent have received on or after October 1, 2011: <i>none</i>		
6. If your answer to the question in item 3 in this form is "yes," please describe your position or representational capacity with the entity or entities you are representing:		
7. If your answer to the question in item 3 is "yes," do any of the entities disclosed in item 4 have parent organizations, subsidiaries, or partnerships that you are not representing in your testimony?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8. If the answer to the question in item 3 is "yes," please list any Federal grants or contracts (including subgrants or subcontracts) that were received by the entities listed under the question in item 4 on or after October 1, 2011, that exceed 10 percent of the revenue of the entities in the year received, including the source and amount of each grant or contract to be listed:		
9. Please attach your curriculum vitae to your completed disclosure form.		

Signature



Date: *14 June 2013*

Jennifer A. Moyer

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Baltimore MD 21234
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[REDACTED]

Experience

Chief, Regulatory Community of Practice (Acting) HQUSACE, Civil Works Directorate, Operations and Regulatory Division, July 12-Present

As the Acting Chief of the Corps Regulatory Program, I provide leadership, direction and oversight for all aspects of the Civil Works Regulatory program, which is responsible for approximately 80,000 Clean Water Act/Rivers and Harbors Act/ Marine Protection, Research and Sanctuaries Act authorizations and approximately 100,000 jurisdictional determinations, annually. As part of those responsibilities, I develop and manage the execution of the \$190M Regulatory Program budget to enable field elements to provide fair, objective, and timely permit decisions.

I develop rules, guidance, and public outreach packages to enhance effective program implementation, teach, and give presentations to other agencies, Congress, organizations, and the public, and take all necessary and appropriate actions to promote consistency in the Corps 38 district and 8 division offices while striving to build effective interagency relationships that contribute to delivery of the mission. Key to these efforts is my leadership and participation in Administration, interagency and agency task force efforts to ensure outcomes fully consider Regulatory Program mission, constraints, and budget capability. One important component contributing to successful execution of the Regulatory Program has been my development of testimony for senior leaders and political appointees, review of testimony provided by other agencies, and review and comment on key legislative proposals to ensure full understanding and consideration of Corps Civil Works and Regulatory missions.

I provide authoritative advice, interpretation of regulations to Corps and Army senior leadership and ~1,300 regulatory staff across the country. A key role I play as Acting Chief is communicating with multiple and varied external stakeholder groups to share information and develop relationships that enhance effective and efficient delivery of products for the public and to enhance Corps and government effectiveness.

Deputy Chief, Regulatory Community of Practice HQUSACE, Civil Works Directorate, Regulatory Branch. November 09-July 1012

As the Deputy Chief of the Regulatory Program I work directly in all aspects of the program's Clean Water Act, Rivers and Harbors Act, Marine Protection, Research and Sanctuaries Act, National Environmental Policy Act (and associated laws) missions including: interpretation and specific application of established laws; implementation of legislation; providing criteria and policies to guide field operating activities in program execution via regulation, guidance letters, and other directives; reviewing and commenting on proposed legislation; recommending revision to or new legislation required to clarify authorities or improve program effectiveness. Much of my day to day work involves collaboration with interagency partners and industry/environmental stakeholders and District/Division elements to ensure program delivery is consistent, efficient, fully coordinated, and effectively communicated.

I am successfully coordinating the Regulatory Program's participation in the Administration-led efforts to improve the efficiency of permit decision-making and environmental reviews for nationally and regionally significant infrastructure projects. This effort relies on my ability to communicate effectively with individuals at all levels of government and with the public both orally and in writing. My position enables me to share information on the Corps of Engineers and the Regulatory Program mission and current initiatives at many professional organizational meetings, such as gatherings of the Nature Conservancy chapters, ALI-ABA environmental law panels, and the American Association of Port Authorities annual meeting.

I provide direct supervision to the Headquarters staff of six program managers and two rotating field Regulators assigned to Headquarters on six-month developmental assignments, assigning and prioritizing work in accordance with mission needs and evaluating performance. As the Headquarters proponent for the Regulatory Program's training mission, I guide the delivery of the five courses offered to field regulators, identify the need for and oversee the develop new courses (e.g. Regulatory IIC-Coastal Processes), as well as developing and delivering the Headquarters current issues and future directions piece of the courses to approximately 650 students per year.

Further, my expertise has been relied upon by the Department of Justice in active litigation on Clean Water Act and National Environmental Policy Act issues related to Regulatory program execution.

Regulatory Program Manager HQUSACE, Civil Works Directorate, Regulatory Branch.
March 2002-October 2009

As an action officer in the Regulatory Branch I was responsible for developing policy for matters requiring guidance to District and Division offices regarding the investigation and evaluation of permits and enforcement actions under Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, and Section 103 of the Marine Protection, Research, and Sanctuaries Act to ensure consistent, transparent, and efficient program delivery nationwide. Development and maintenance of working relationships with the public; local, state, and Federal agencies; Congressional Members and staff; and Administration officials has been critical to successful program execution and my skills in communication, coordination, and public speaking have enhanced the effectiveness of our Regulatory partnerships. I led the program efforts in Lean Six Sigma to improve the efficiency of our decisionmaking while maintaining the quality and standards of our processes which culminated in the dissemination of a national guidance memorandum establishing performance goals pertaining to improving efficiency in decisionmaking.

In March 2009, I successfully completed the HQUSACE evaluation, including a comprehensive review and analysis of the District's record, two site visits, multiple meetings with stakeholders and agencies, and multiple briefings to USACE and Army senior leaders for a 404(q) elevation to the Assistant Secretary of the Army (Civil Works). My work enabled the acting ASA(CW) to render a decision on the elevation request that was firmly grounded in fact and supported by fully considered information.

From March 02-May 05, I provided timely, day-to-day management of the Regulatory Program as the HQUSACE Regulatory Action Officer for the MSCs and DCs in the South Pacific and Southwestern Divisions first on the MSC Support Team and then on the SPD RIT. From May 05, I served as the Regulatory Action Officer to the Northwestern and Pacific Ocean Divisions. In addition to providing policy and program oversight to the Districts and Divisions in my AOR, I proactively engaged, as appropriate, my supervisors, the Director of Civil Works, other agency representatives, and the general public in written and oral presentations to forward the Regulatory program goals, increase efficiency, and promote positive collaboration. I served as the program lead for all WRDA 214 positions (those funded by non-Federal public entities) within the program, which grew under my leadership from \$300k in 2001 to over \$5.2 million, funding nearly 51 positions nationwide. As the Headquarters proponent for two of the program's four principal PROSPECT courses, Regulatory I and III (Introduction to Regulatory and Enforcement & Compliance), I provided approximately 200 students per year direct insight into Headquarters current issues and future directions, insure that course material is updated to reflect current policy and guidance, and mentor instructor teams to validate that a consistent program message is being presented to students.

In addition to my duties as Action Officer to the RITs, I also served as the National Transportation Liaison to the Federal Highway Administration since May 2005 after successfully executing an agreement with FHWA to fully fund a full-time equivalent at HQUSACE. In this role I promoted awareness of environmental streamlining initiatives across agency and District boundaries while identifying, showcasing, and promoting innovative field practices that result in expedited reviews, timely coordination, and improved efficiencies. I was appointed by the National Academies to the Transportation Research Board where I served on numerous committees and expert task groups guiding the development of national

research and interagency thinking and guidance on the integration of conservation, highway planning, and environmental permitting and mitigation.

Since joining Headquarters, I completed a 90-day developmental assignment in the Command Staff Group, HQUSACE (Oct 2002-Feb 2003), as a special assistant to LTG Flowers. In this position I was responsible for planning and executing numerous trips, such as District and Division town halls, professional association meetings, stakeholder meetings, VTCs with Army field commands, and editorial boards, all of which required extensive speech and presentation preparation as well as advance logistics and support coordination.

In 2008, I acted as the Headquarters Regulatory Chief for a 60-day period, from June through August.

Regulatory Program Manager U.S. Army Corps of Engineers, Regulatory Branch, Baltimore District Jan 2001-March 2002

I developed and managed the implementation of programmatic initiatives to increase the efficiency of the Section 404 and Section 10 permitting process while providing adequate protection to aquatic resources and predictability to the regulated public. The establishment of positive working relationships with agency representatives at all levels, applicants and their agents and attorneys, and the public were critical to successfully implementing the District's regulatory program. This required direct familiarity with NEPA, Endangered Species Act, National Historic Preservation Act, Coastal Zone Management Act, and the Clean Air Act. To improve program efficiency and consistency, my initiatives included the development of an advanced identification of wetland/watershed evaluation framework to include an assessment of cumulative effects, mitigation selection, ecological function analysis, and public outreach and involvement. I promoted the renovation of state-level legislation and policies regarding mitigation banking and in-lieu fee arrangements to increase the effectiveness and visibility of those activities in Maryland. I provided written and oral briefings for my supervisors, Division chief, and the District Engineer, and HQUSACE staff, Congressional interests, special interest groups, various agency regional executives, and the public.

While in this position, I completed a 60-day professional developmental assignment in the Regulatory Division in Jacksonville District (Oct-Nov 2001). During my assignment I worked on watershed-based initiatives with large, private landholders to develop regional permits to expedite the permitting process while conserving valuable aquatic resources. I also participated in revising and updating the cumulative effects assessment portion of the Regulatory II PROSPECT class and coordinated extensively with Florida State Department of Transportation on their environmental streamlining efforts.

Regulatory Project Manager U.S. Army Corps of Engineers, Regulatory Branch, Baltimore District Jan 1998-Jan 2001

The primary duties of my position during this timeframe were focused on executing the public interest review process, the Clean Water Act 404(b)(1) Guidelines alternatives analysis, and interagency coordination process for activities requiring Department of the Army Section 404, Rivers and Harbors Act Section 10, and Marine Protection, Research, and Sanctuaries Act Section 103 permits. This evaluation required the integration of the technical analysis of environmental, ecological, cultural, and socioeconomic impacts of proposed actions and the subsequent relation of those impacts to the aquatic environment; waters of the U.S. jurisdictional determinations, wetland delineation, and functional assessment. Accurate documentation of findings to include management of National Environmental Policy Act Environmental Impact Statements and preparation of Environmental Assessments; mitigation site selection, development, and evaluation; and permit compliance inspections were additional duties that enabled me to develop excellent problem solving skills. As a project manager, I primarily evaluated large, complex, and controversial transportation projects, such as the \$2.4 billion Woodrow Wilson Bridge replacement, including a \$30 million compensatory mitigation component, requiring synchronized and consistent upper management communication, as well as timely and effective interagency and Congressional coordination. Extensive coordination with the Federal Highway Administration, the Maryland State Highway Administration, and the Pennsylvania Department of Transportation allowed me to develop and implement two agreements to accept funding of regulatory positions in the Baltimore District under the provisions of

the Transportation Equity Act of the 21st Century (TEA-21). As the watershed program coordinator, I developed a successful inter and intra-agency process to effectively coordinate watershed evaluation projects within the Baltimore District, and among other Federal, state, and local management agencies. Speaking at numerous conferences on successful integration of interagency goals, environmental stewardship, and process streamlining built upon my public speaking skills that were already being used extensively as a PROSPECT instructor for locally given REG IV and Plant Identification courses.

While in this position, I completed a 120-day professional developmental assignment at HQUSACE in the Civil Works Directorate, Planning Division (Aug-Nov 1998). In that capacity I assisted in the development of guidance pertaining to ecosystem restoration, developed the technical program for the 57th meeting of the Chief's Environmental Advisory Board, coordinated Corps involvement in the Clean Water Action Plan, and helped to develop a new PROSPECT course on watershed assessment.

I completed a second 120-day assignment at the GS-13 level as the Watershed Program Manager in the Regulatory Branch, Baltimore District (Aug-Dec 2000), during which I coordinated the review of capitol improvement projects in Maryland, recommended program priorities to higher management, implemented watershed-based program initiatives, developed a streamlined Environmental Assessment/Statement of Findings template to improve branch consistency in documentation of standard permit decisions, and developed policy guidance for the implementation of the Magnuson-Stevens Fisheries Conservation and Management Act.

Interdisciplinary Regulatory Specialist U.S. Army Corps of Engineers, Regulatory Branch, Baltimore District Nov 1995-Jan 1998

As a project manager, I was responsible for evaluation of the environmental impacts of proposed construction projects on waters of the U.S., pursuant to the Corps authority under the Clean Water Act, the Rivers and Harbors Act, and the Marine Protection, Research, and Sanctuaries Act, requiring the technical analyses described above and including National Environmental Policy Act documentation. The establishment and maintenance of working relationships with various Federal, state, county, and local agencies, applicants, their agents and attorneys, and the public were critical in effectively communicating the Corps position and policy. In addition, during this time I successfully coordinated several watershed evaluation projects which relied heavily on those established relationships. I kept Regulatory Branch and District staff informed of program efforts, directed lower graded staff in watershed assessment efforts, and served as the lead Corps instructor for local PROSPECT Regulatory IV (wetland delineation) and Plant Identification classes.

Biologist U.S. Army Corps of Engineers, Planning Division, Baltimore District Jan 1994-Nov 1995

I served as the Planning Division manager for civil works projects in the preconstruction, engineering, and design (PED) phase with duties including extensive coordination with study, design, and project managers and upper management to ensure budget and schedule compliance; final design review for environmental compliance; and public coordination. I successfully managed the schedules and budgets of two environmental restoration projects and two flood control projects while assessing the environmental issues, formulating environmental goals and objectives, documenting alternatives, analyzing project impacts to aquatic resources, and actively coordinating the process and decisions with other agencies, Congressional interests, and the public and managing the appropriate National Environmental Policy Act documentation efforts.

Education

University of Texas at Austin, Austin, Texas. Master of Arts in Botany, 1992. Research focused on plant systematics and evolutionary biology utilizing genera of the *Hydrophyllaceae*.

Dickinson College, Carlisle, Pennsylvania. Bachelor of Science in Biology, 1990. Primary focus on population dynamics, speciation, and pollination biology.