

Opening Statement
The Honorable Cliff Bentz
House Natural Resources Committee on
H.R. 3764 Ocean-Based Climate Solutions Act of 2021

June 22, 2021

Let me begin by welcoming members and witnesses to today's hearing. We are considering thirteen bills, twelve of which are included in some form in Chairman Grijalva's larger 290-page, fourteen title bill, H.R. 3764. These bills reflect a broad set of concerns including climate, resilience to higher ocean levels, conservation, restoration, tribal issues, wind leases, waterfront task forces, Great Lake water levels, and improvement of the circumstances of marine mammals, to name just some of the bill's many topics.

But will this bill help our nation also address one of the major challenges facing us today—that being the greatest drought in modern day history affecting some 70 million people? Do these bills contain solutions that the ocean might offer (such as desalination) to offset long term drought? Perhaps our witnesses will tell us.

Additionally, as this bill's title suggests it's "ocean based" but obviously the bill carries with it serious implications for lands and inland waters. Take, for example, the national blue carbon ecosystem map mandated in the bill. This provision would require that NOAA identify upstream structures or pollution sources that affect the watershed and potential for blue carbon sequestration. This requirement has no limits of how far upstream that process might reach. For example, the Columbia River watershed includes the landlocked states of Idaho and Montana, and parts of Canada--some 182 million acres and tens of thousands of miles of waterways. Do those who support this bill understand the extent, not necessarily oceans-linked, of this bill's impact?

Equally concerning are new consultation requirements contained in this bill for all federal agencies where a proposed action has the potential to cause an adversarial impact to "blue carbon areas of significance" or "marine mammal climate impact management plans." Will these new requirements cause delay in activities adjacent to waterways, such as construction of bridges, roads, wind energy projects, and other infrastructure? Could adding red tape to sitting key energy projects and energy transmission drive up consumer costs? Indeed, these requirements will undoubtedly create yet another layer of environmental bureaucracy that will be used to block federal actions, such as maintaining or building new infrastructure of all kinds near water including water supply infrastructure that could help in meeting demand caused by drought in the West. Importantly, the processes found in this bill could also be used as a reason or justification for removal of essential existing water infrastructure. Or it could cause more litigation, and that's coming from a lawyer.

The upstream impacts of this bill will no doubt make any activity with federal involvement slower and more difficult. The last thing the Western half of the U.S. needs is yet another demand for diminishing volumes of water caused by federal legislation. We are fortunate to have a witness representing the Family Farm Alliance who will discuss some of these important issues. I want to welcome this witness, Mr. Mauricio Guardado from Oxnard, California, who will testify about his concerns over the far-reaching authorities in this bill.

In conclusion, I am hopeful that these bills will ultimately advance our nation's interests by directing the federal agencies to explore how to conserve our seas and the creatures and structures in them, while at the same time helping people cope with the on-land challenges of drought and even more expensive energy. While we had an oversight hearing on drought almost a month ago (which the 70 million people affected by the drought and 115 degree temperatures I'm sure appreciated) I hope that that hearing is not the only thing Congress will do regarding the drought because it is getting worse. We need to act now. With that, Mr. Chair, I yield back.