

Opening Statement of Chair Jared Huffman
Water, Oceans, and Wildlife Legislative Hearing
June 13, 2019

Thank you for joining us today for a legislative hearing discussing seven bills, several of which are bipartisan bills, that reflect the breadth of this Subcommittee's jurisdiction: three of these bills work to protect birds and other species, and the remaining four aim to spur water management improvements and investment in our water infrastructure.

On the wildlife side, first we have H.R. 1446, the Multinational Species Conservation Funds Semipostal Stamp Reauthorization Act, authored by Representative Clay, which would require the US Postal Service to sell stamps that raise money for the Multinational Species Conservation Funds. These stamps are already printed and simply haven't been sold since the original Act expired several years ago. Sounds like a no brainer to me.

The second bill, Representative Van Drew's H.R. 2685, would reauthorize the Wild Bird Conservation Act, which promotes international wild bird conservation. With the recent news on biodiversity loss, we need to do all we can to preserve species, starting with the conservation tools we already have.

Finally, we will consider Representative Lowenthal's discussion draft, the Migratory Bird Protection Act, which amends the Migratory Bird Treaty Act, or MBTA.

The draft bill would override the Trump administration's radical reinterpretation of the MBTA that states the MBTA only applies to intentional taking or killing of birds, and no longer applies to incidental take, such as an oil spill that kills birds. It's the same pattern we keep seeing from this administration – the oil and gas industry is prioritized above public well-being and a healthy environment and wildlife for future generations.

The 2011 BP Deepwater Horizon oil spill is a prime example of how the MBTA can and should be used to hold bad actors accountable. The spill killed more than one million birds, and BP was ordered to pay \$100 million in fines for violating the MBTA, which then went toward restoring important bird habitats.

The draft affirms that the MBTA does cover incidental take and also sets a clear path for the Fish and Wildlife Service to develop general permits for incidental take based on industry-developed best management practices. If your company has implemented best management practices to minimize bird deaths, you should be eligible to self-certify under the general permit and not have to worry further about the MBTA. It's a commonsense, straightforward approach, and I applaud Representative Lowenthal for putting this language forward.

Moving on, the water-related legislation we'll hear about today is designed to increase water infrastructure investment and improve our nation's water management. With climate change projections showing that our water supply will be increasingly threatened in the western U.S., our approach to water management and investment must be improved to make the most of our water resources.

H.R. 1162, sponsored by Representative Napolitano, would reauthorize Reclamation's Title XVI water recycling grant program and increase the funding authorization to \$500 million. This would authorize

significant new investment and help communities become more resilient to climate-induced drought by reclaiming wastewater and putting it to use.

Last year, an estimated 431 thousand acre-feet of water was made available through Title XVI projects. That's enough to supply about 3.5 million people with water for a year. With increased investment, we could provide a reliable water supply for millions more.

Next, we have H.R. 2473, a bill from Representative Harder aimed at providing water supply reliability in California's Central Valley and other parts of the country. The legislation would establish a new "Water Infrastructure and Drought Solutions Fund" -- funded through revenues from the Reclamation Fund -- to pay for ground and surface water storage projects, water reuse projects, and water use efficiency projects.

The Reclamation Fund was established by Congress to help pay for western water projects with revenues from natural resource royalties, water project repayments, and other sources. Over the past two decades, deposits into the fund have far exceeded expenditures. Given this discrepancy, this bill would increase expenditures from the Reclamation Fund to help pay for water-related priorities.

The bill would also support groundwater recharge planning efforts, create a new X-Prize to promote advancements in water technology, and reauthorize Reclamation's Rural Water Supply Program to help address rural drinking water needs.

Finally, the bill authorizes a new program modeled on the Water Infrastructure Finance and Innovation Act, or WIFIA, program to offer low-cost financing for states, tribes, and local governments to fund water infrastructure projects. The program is designed to accelerate investment in water infrastructure at a lower cost to the Treasury.

Also on the agenda is H.R. 1976, the PFAS Detection Act of 2019, introduced by Representative Kildee of Michigan. In recognition of the health threats posed by a class of manmade chemicals called perfluoroalkyl [per-floro-al-kill] substances, or PFAS, this bill would direct the USGS to establish a standard for detecting PFAS and initiate nationwide sampling to determine the level of PFAS exposure in our rivers, streams, and lakes.

Finally, we'll discuss H.R. 967, the Clean Water for Rural Communities Act, sponsored by Representative Gianforte. This bill would help advance two drinking water projects in rural Montana. It would authorize the Interior Secretary to construct the Musselshell-Judith Rural Water System and to further study the Dry-Redwater project. I look forward to hearing more about this bill and the other bills on the agenda today.

There's a great deal to work through today, so with that, I'll turn it over to the ranking member for his opening statement.