

Responses to Questions on the Record

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Committee on Natural Resources
Subcommittee on Water, Oceans, and Wildlife
United States House of Representatives

**Legislative Hearing on H.R. 1546, H.R. 3540, H.R. 4057, H.R. 4092, H.R. 4677, H.R. 4716,
H.R. 5973, H.R.6023, and H.Res. 641.**

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Q: How will the NY-NJ Watershed Protection Act and the Coastal Habitat Conservation Act strengthen coastal infrastructure and disaster preparedness for regional communities?

A: One of the purposes of this legislation (HR4677) is to advance natural and nature-based features and other green infrastructure techniques to maximize the resilience of local communities. This can be accomplished by focusing federal support on feasibility and planning studies for green infrastructure projects and providing the technical assistance and financial resources to implement projects.

There are many opportunities to do this in the region. For example, the Hudson River Comprehensive Restoration Plan engaged dozens of non-profits, research institutions, local governments and state and federal agencies to identify 1,800 “candidate project opportunities” that were submitted by over 20 riverfront communities and several contributing agencies and partner organizations. In New York City, the Mayor’s Office of Resiliency is undertaking a citywide adaptation planning process called AdaptNYC. Neighborhood planning is part of this process and a federal match will likely be needed to advance tis work. In New Jersey, the New Jersey Sports and Exhibition Authority Meadowlands Restoration Plan is just one example of a plan among many that has identified nature-based strategies to restore habitat that have the additional benefit of strengthening the coastline’s natural infrastructure. Investment in these and other plans will reduce the impact of severe storms and flooding, and thus help strengthen local disaster preparedness and response.

Q: How were the voices of local communities in the watershed consulted during the development of this legislation, and how will the program address the needs of disadvantaged communities, including those experiencing environmental injustice?

A: Communities in the NY-NJ Watershed have collaborated for decades to create locally-driven management plans that are the focus of this legislation (HR4677). These plans have been developed with extensive community input.

For example, the New York State Mohawk River Basin Action Agenda and the Hudson River Estuary Program Action are informed by advisory committees that represent the local communities. These plans are also subject to public input through the State Environmental Quality Review. The plans also encompass several state-mapped “potential environmental justice areas,” which is an important policy framework in New York State to advance work that benefits communities lacking in environmental justice. Similar public engagement has informed the New York-New Hersey Harbor and Estuary Program Action Agenda, the Hudson Raritan Comprehensive Restoration Plan, the Sustainable Raritan River Initiative Action Plan, the Lower Passaic and Bronx and Harlem Federal Urban Waters Partnership Workplans, and the New Jersey Sports and Exhibition Authority Meadowlands Restoration Plan that are identified in this legislation.

One of the reasons that these local plans are successful is that they consider the diverse perspectives of the communities they serve. This includes disadvantaged communities and those experiencing environmental injustice. Many of the plans that are referenced in this legislation have a track record of working with and collaborating with these communities

Q: There are a number of similar watershed programs across the nation such as the Delaware River program, Lake Tahoe Restoration, Chesapeake Bay restoration, and others. What lessons have been learned from the successes and shortcomings of these other programs, and how have they been applied to ensure that the NY-NJ Watershed program is as effective as possible?

A: Communities in the NY-NJ Watersheds recognize the success and impact of these and other similar watershed programs across the nation. Having studied them, several important lessons come to mind that can be applied to the program proposed in HR4677.

These programs excel when they take a holistic approach to addressing regional issues and define environmental challenges in terms of their particular geography, ecology and economy. Furthermore, they generate strategies that address these regional challenges by synthesizing the expertise of multiple disciplines and shaping it into practical solutions that make sense for the region.

These programs experience shortcomings when they do not have the structures in place to consider the diverse perspectives of communities who are affected by proposed actions, particularly communities lacking in environmental justice and other historically marginalized populations. This legislation creates a structure to ensure that the benefits of the legislation are experienced by all peoples.

One of the other shortcomings that we have observed regarding other federal watershed programs is the inability of the federal government to protect land. Strategic land conservation

can be a critical aspect of a federal restoration program. To restore habitat, you need access to the land that is to be restored. Similarly, public access to waterfronts requires a specific location. Finally, by establishing a local presence through land conservation, federal agencies involved advancing environmental justice goals will have stronger opportunities to develop place-based relationships with local communities that are lacking in environmental justice.

In addition, we have learned that the 75 % federal cost share identified in this legislation will help address the needs of communities lacking in environmental justice. This element of the legislation will provide them an opportunity to contribute at a level within their financial means. Furthermore, the legislation allows them to use their in kind labor as part of their match. Finally, the cost of mobilizing people and equipment in this region is relatively high compared to other areas of the country, and an important factor to consider.

Thank you for the opportunity to respond to questions from the Sub-Committee regarding this legislation.