**TESTIMONY OF ANN MESNIKOFF**
**FEDERAL LEGISLATIVE DIRECTOR, ENVIRONMENTAL LAW & POLICY CENTER**
**U.S. HOUSE OF REPRESENTATIVES, APPROPRIATIONS COMMITTEE**
**SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES**
**FEBRUARY 6, 2020 – WASHINGTON D.C.**

I am Ann Mesnikoff, the Federal Legislative Director for the Environmental Law & Policy Center (ELPC), which is the Midwest's leading environmental legal advocacy and eco-business innovation organization. ELPC has staff and offices in seven Midwest states and, here, in Washington D.C. We have worked for many years to protect the Great Lakes and were very engaged with many colleagues and public officials to establish the successful Great Lakes Restoration Initiative (GLRI) before and then during the Obama administration.

Thank you Chair McCollum, Ranking Member Joyce and members of this subcommittee for the opportunity to testify today in support of the popular and bipartisan Great Lakes Restoration Initiative. We greatly appreciate the leadership of this committee that resulted in the program receiving $320 million for this fiscal year.

ELPC would like to make three points today:
**First,** the Great Lakes Restoration Initiative is vitally important and successful. This is a model federal program providing great benefits, and it is working well.
**Second,** the challenges to the Great Lakes are only increasing – from climate change and the increases in harmful algal blooms to the recently-issued new replacement for the 2015 Clean Water rule, the administration's proposal to constrain state authority under the section 401 of the Clean Water Act, among other rollbacks. These combined threats mean we need to protect the lakes more than ever before.
**Third,** while we look forward to Congress reauthorizing the program this year as provided in the GLRI Act of 2019, we request that this committee consider increasing funding for the program to $475 million for FY 2021. This increase would be both a down payment toward implementing the reauthorization and a recognition of the challenges the Great Lakes face.

The Great Lakes are a global gem and contain 21% of the planet's fresh water supply. 42 million people rely on the Great Lakes for safe drinking water supplies. The Great Lakes provide a rich aquatic habitat for many species. The Great Lakes support a $7 billion annual fishing industry, and Great Lakes recreation draws millions of tourists who boost the economies of shoreline communities. In short, the Great Lakes are where many millions live, work and play.

**First:** As the third GLRI's 3rd Action Plan notes, "the GLRI has been a catalyst for unprecedented federal agency coordination, which has in turn produced unprecedented results." The program supports shoreline and wetlands protection projects, keeping out invasive species, and reducing harmful algae blooms. Congress' recognition of the effectiveness of the Great Lakes Restoration Initiative is reflected in the bipartisan support to reject President Trump's proposed budget cuts for this successful program, and, instead, restore the full authorized funding of $300 million for FY 2018 and 2019 and an increase in funding for FY2020.

The Initiative funds and supports thousands of projects across the Great Lakes states to:

- Improve water quality for safe drinking water supplies, fisheries and aquatic habitats.
- Protect shorelines and restore wetlands.
- Protect and restore native habitats and species.
- Help prevent and control invasive species.
- Clean up toxic sediments on lake bottoms.
- Reduce nutrient runoff that contributes to harmful algal blooms.

There are countless examples of GLRI projects that deliver multiple benefits to the Great Lakes, from river and natural area restoration projects and reducing the threat of invasive species to addressing and ultimately delisting of Areas of Concern. The Healing Our Waters Coalition (HOW) documents projects like the Flute Reed Riverbank stabilization in Northern Minnesota detailing how it keeps nutrients out of Lake Superior, improves flood plains and creates habitat for fish and the Burnham Wildlife Corridor in Chicago, which restored natural areas with native species and wildlife habitats and also helps slow down and filter water before it enters Lake Michigan, reducing runoff into the lake. Importantly, these projects bring together a broad array of partners to work together to achieve GLRI's goals and create jobs. The GLRI Action Plan III details the progress being made across the region to address Areas of Concern including now delisted areas: Presque Isle Bay in Pennsylvania and Deer Lake and White Lake in Michigan.

Finally, in addition to the direct benefits of specific projects, GLRI has broad regional economic benefits. A University of Michigan study found that the federal dollars invested through GLRI projects between 2010 and 2016 will produce $3.35 in additional economic activity for every dollar invested in the Great Lakes region through 2036.

**Second:** Even as we applaud the success of the GLRI, we need to recognize the new and evolving threats to the Great Lakes. These threats include climate change, the growing threat of toxic algal blooms, and rollbacks of several key protections for clean water that the administration is pursuing. With respect to climate change, last spring, ELPC with Chicago Council on Global Affairs, released *An Assessment of the Impacts of Climate Change on the Great Lakes*. This report brought together top climate experts from Midwest universities including the University of Minnesota and Ohio State University to bring together the best science on the impacts and threats climate change poses to the Great Lakes into one report.

The report found that climate change is causing significant and far-reaching impacts on the Great Lakes and the Great Lakes region. Among the impacts particularly relevant to GLRI is the finding that climate change is contributing to a more dramatic pattern of fluctuating lake levels compared to historical fluctuation patterns. Driving this in part is that annual precipitation in the Great Lakes region has increased at a higher percentage than the rest of the country and more of this precipitation is occurring in unusually large events. This past year has seen record high levels bringing flooding, impacting infrastructure, and increased polluted runoff. These impacts demonstrate the need to recognize the role climate change is and will play across the region with attention to resilience, protecting shorelines, wetlands restoration and other projects that GLRI supports across the Great Lakes.

The report also noted that changes in precipitation patterns are not only contributing to the fluctuating water levels, they are contributing to the growing challenge of toxic algal blooms in Lake Erie and across the Great Lakes and smaller regional lakes and ponds. These blooms threaten

public health, drinking water and treatment costs and also impact recreation and fishing. In just one watershed – the Maumee River watershed in Ohio which feeds into Lake Erie -- the estimated number of animals in the region tripled over the last 10 years. The Maumee is among the priority watersheds included in the GLRI Action Plan III. Using satellite imagery to count and measure CAFOs and to estimate the number of animals and amount of manure those facilities produce, ELPC has concluded that in 2018 alone, CAFOs produced over 3.5 million tons of manure. Due to this rapid increase in manure in the basin, it is likely that manure is responsible for 40% of agricultural phosphorus in the watershed. Agricultural phosphorus, including phosphorus from CAFOs, is the single largest source of western Lake Erie's excess phosphorus. The current GLRI Action Plan provides strategies to reduce this harmful runoff, noting the GLRI has kept more than one million pounds of phosphorous out of the lakes. GLRI and other programs are working to help address this massive challenge of reducing nutrient pollution and the threat of toxic blooms – but even as these programs are implemented the number of animals and industrial farms are on the rise.

Finally, the Great Lakes face new threats from critical rollbacks of rules intended to protect clean water. Under the recently announced Navigable Waters Protection Rule more than two million miles of rain-dependent streams in the country are unprotected. In addition, an EPA preliminary analysis of the proposed rule indicated it could exclude approximately 51 percent of the roughly 110 million acres of wetlands in the continental United States. EPA's own Science Advisory Board issued a draft letter at the end of December noting the analysis supporting the rule was contrary to science and not supported. This rollback along with the proposed changes to state's authority under section 401 of the Clean Water Act could also increase the challenges the Great Lakes face.

**Third:** Last fall the House Transportation & Infrastructure Committee passed HR 4031, the GLRI Act of 2019. This bipartisan bill reauthorizes the program through 2026. ELPC supports this bill and the important goal of funding GLRI at $475 million. But for the reasons noted in my testimony – namely the climate impacts on the Lakes, including fluctuating water levels, changes in precipitation patterns, toxic algal blooms, and impacts of rollbacks of Clean Water Act protections as well as ongoing needs to address the many other goals of the program, $475 million is warranted for FY2021.

This Committee and the full House have consistently voted to appropriate $300 million for the Great Lakes Restoration Initiative and to reject the President's proposals to zero out or cut 90% of the program funding, For FY 2020 the funding is $320 million – an important increase to the program. The GLRI is a successful program and a model for federal, state and local cooperation. The Environmental Law & Policy respectfully requests you consider the urgency of protecting the Great Lakes and consider supporting GLRI with $475 million.