

**H.R. 221, “HYDROGRAPHIC SERVICES IMPROVEMENT AMENDMENTS ACT”;  
H.R. 1176, “KEEP AMERICA’S WATERFRONTS WORKING ACT”; AND S. 140, TO AMEND THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION ACT OF 2010 TO CLARIFY THE USE OF AMOUNTS IN THE WMAT SETTLEMENT FUND**

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**LEGISLATIVE HEARING**

BEFORE THE  
SUBCOMMITTEE ON WATER, POWER AND OCEANS  
OF THE  
COMMITTEE ON NATURAL RESOURCES  
U.S. HOUSE OF REPRESENTATIVES  
ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

Thursday, November 2, 2017

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**LEGISLATIVE HEARING ON H.R. 221, TO RE-AUTHORIZE THE HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998, AND FOR OTHER PURPOSES, “HYDROGRAPHIC SERVICES IMPROVEMENT AMENDMENTS ACT”; H.R. 1176, TO AMEND THE COASTAL ZONE MANAGEMENT ACT OF 1972 TO ESTABLISH A WORKING WATERFRONT TASK FORCE AND A WORKING WATERFRONTS GRANT PROGRAM, AND FOR OTHER PURPOSES, “KEEP AMERICA’S WATERFRONTS WORKING ACT”; AND S. 140, TO AMEND THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION ACT OF 2010 TO CLARIFY THE USE OF AMOUNTS IN THE WMAT SETTLEMENT FUND**

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**Thursday, November 2, 2017  
U.S. House of Representatives  
Subcommittee on Water, Power and Oceans  
Committee on Natural Resources  
Washington, DC**

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The Subcommittee met, pursuant to notice, at 10:37 a.m., in room 1324, Longworth House Office Building, Hon. Doug Lamborn [Chairman of the Subcommittee] presiding.

Present: Representatives Lamborn, Wittman, Gosar, Bishop; Huffman, Beyer, and Bordallo.

Also present: Representatives Young; and Pingree.

Mr. LAMBORN. The Water, Power and Oceans Subcommittee meets today to hear testimony on H.R. 221, sponsored by Representative Don Young of Alaska; H.R. 1176, sponsored by Representative Pingree of Maine; and Senate Bill 140, sponsored by Senator Flake of Arizona.

I want to thank you all for your patience. This was originally set for 10:00 a.m., but we had a very important and very exciting Republican conference that I had to be at, and those on my side of the aisle had to be at this morning. We did not anticipate that, but there were last-minute changes earlier in the week to today. So, thank you for your indulgence, thank all of you for being here, either in the audience or to testify.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman, Ranking Minority Member, and the Vice Chair. Therefore, I ask unanimous consent that all other

Members' opening statements be made part of the hearing record if they are submitted to the Subcommittee Clerk by 5:00 p.m. today.

Without objection, so ordered.

We will begin with opening statements, starting with myself, for 5 minutes.

**STATEMENT OF THE HON. DOUG LAMBORN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO**

Mr. LAMBORN. The Water, Power and Oceans Subcommittee meets today to consider three bills that nearly span the wide range of our Subcommittee's jurisdiction.

The first bill we will consider today is H.R. 221, the Hydrographic Services Improvement Amendments Act, introduced by our colleague, Don Young of Alaska. This bill, championed by the Alaska delegation in the House—the entire delegation—and the Senate reauthorizes NOAA's critical ocean surveying and mapping program.

Congress first authorized ocean surveys in U.S. waters more than 200 years ago. Since then, this program has collected critical data on the ocean floor and navigation channels that have supported a myriad of ocean-related economic activities such as fishing, trade, and energy development.

While NOAA has covered a lot of ground with this program, inferior techniques and technologies have aided in a significant backlog of U.S. waters that are not adequately mapped. We will hear testimony today on the real dangers that are presented when our Nation's navigation channels are improperly mapped, or have features that are not even mapped at all.

While it may not be a surprise that a Federal agency has been slow to adopt efficient techniques and technologies, the private sector has stepped up to the challenge to help NOAA chip away at their dangerous backlog under this program. Mr. Young's bill supports the partnership between NOAA and companies such as Fugro that have access to the resources and advanced technologies that can map the ocean floor in a fraction of the time, and likely cheaper than it would take the Federal Government to conduct the same surveys.

Today, we will also consider H.R. 1176, the Keep America's Waterfronts Working Act, introduced by Ms. Pingree of Maine. This bill establishes a grant program within the Coastal Zone Management Act for states to utilize and preserve working waterfronts in the 35 eligible coastal and Great Lakes states. This bill also establishes a Federal task force led by the Secretary of the Interior to identify and address state needs with respect to working waterfronts.

While the Coastal Zone Management Program has largely been a state-driven program, this bill inserts layers of Federal bureaucracy that seem to run counter to the congressional intent of the original Act. It is unclear why, under the bill, the Department of the Interior is responsible for the Federal task force, while the Department of Commerce administers the grant program. We will need to clarify and discuss how the working waterfronts covenants

required under the bill would impact private property rights for waterfront owners.

I do look forward to gaining a better understanding of these and other provisions within the bill, and I want to thank Congresswoman Pingree for coming before the Subcommittee today to testify on her bill.

I would also like to recognize and thank Governor LePage of Maine for taking the time out of his busy schedule to come to DC to testify before our Subcommittee on this legislation. I cannot overstate how critical it is, especially for this Committee, to have a state perspective on resource management activities. Whether it is the Endangered Species Act management in the West, or management of our coastal resources in the East, state input is invaluable.

Finally, the Subcommittee will consider Senate Bill 140, sponsored by Senator Flake of Arizona. This bill amends the White Mountain Apache Tribe's standing water rights settlement to clarify a use of funds already allocated under that settlement to complete the Tribe's rural water system. While this bill is merely a technical correction, we will hear today how important it is for the Tribe to finish construction of their water system.

I want to thank the witnesses for traveling here to be with us today. Your input is extremely valuable as we work through the legislative process. I look forward to hearing your testimony.

[The prepared statement of Mr. Lamborn follows:]

PREPARED STATEMENT OF THE HON. DOUG LAMBORN, CHAIRMAN, SUBCOMMITTEE ON  
WATER, POWER AND OCEANS

The Water, Power and Oceans Subcommittee meets today to consider three bills that nearly span the wide range of our Subcommittee's jurisdiction.

The first bill we will consider today is H.R. 221, the Hydrographic Services Improvement Amendments Act, introduced by our colleague Don Young of Alaska. This bill, championed by the Alaska delegation in the House and the Senate, reauthorizes NOAA's critical ocean surveying and mapping program. Congress first authorized ocean surveys in U.S. waters more than 200 years ago. Since then, this program has collected critical data on the ocean floor and navigation channels that have supported a myriad of ocean-related economic activities such as fishing, trade, and energy development.

While NOAA has covered a lot of ground with this program, inferior techniques and technologies have resulted in a significant backlog of U.S. waters that are not adequately mapped. We will hear testimony today on the real dangers that are presented when our Nation's navigation channels are improperly mapped or have features that are not mapped at all. While it may not be a surprise that a Federal agency has been slow to adopt efficient techniques and technologies, the private sector has stepped up to the challenge to help NOAA chip away at their dangerous backlog under this program. Mr. Young's bill supports the partnership between NOAA and companies such as Fugro that have access to the resources and advanced technologies that can map the ocean floor in a fraction of the time—and usually at a fraction of the cost—that it would take the Federal Government to conduct the same surveys.

Today, we will also consider H.R. 1176, the Keep America's Waterfronts Working Act, introduced by Ms. Pingree of Maine. This bill establishes a grant program within the Coastal Zone Management Act for states to utilize and preserve working waterfronts in the 35 eligible coastal and Great Lakes states. This bill also establishes a Federal task force—led by the Secretary of the Interior—to identify and address state needs with respect to working waterfronts. While the Coastal Zone Management Program has largely been a state-driven program, this bill inserts layers of Federal bureaucracy that seem to run counter to the congressional intent of the original Act. It is unclear why—under the bill—the Department of the Interior is responsible for the Federal task force, while the Department of Commerce administers the grant program. We also need to clarify how the “working waterfront

covenants” required under the bill would impact private property rights for waterfront owners. I look forward to gaining a better understanding of these and other provisions within the bill, and I want to thank Congresswoman Pingree for coming before the Subcommittee today to testify on her bill.

I also want to recognize and thank Governor LePage of Maine for taking the time out of his busy schedule to come down to DC to testify before our Subcommittee on this legislation. I cannot overstate how critical it is—especially for this Committee—to have a state perspective on resource management activities. Whether it is Endangered Species Act management in the West or management of our coastal resources in the East, your input is invaluable.

Finally, the Subcommittee will consider S. 140, sponsored by Senator Flake of Arizona. This bill amends the White Mountain Apache Tribe’s standing water rights settlement to clarify a use of funds already allocated under that settlement to complete the Tribe’s rural water system. While this bill is merely a technical correction, we will hear today how important it is for the Tribe to finish construction of their water system.

I want to thank the witnesses for traveling here to be with us today. Your input is extremely valuable as we work through the legislative process, and I look forward to hearing your testimony.

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Mr. LAMBORN. I would now like to recognize the Ranking Member, Mr. Huffman of California, for 5 minutes for his statement.

**STATEMENT OF THE HON. JARED HUFFMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

Mr. HUFFMAN. Thank you, Mr. Chairman, and good morning. Welcome to the witnesses. I appreciate the fact that we are here today talking about bills that have bipartisan support, and that is a good thing. I think there is a lot of work we can do together with this Subcommittee, and I am grateful for the opportunity to talk about bills that reflect that kind of bipartisan problem-solving opportunity.

Starting with H.R. 1176, Keep America’s Waterfronts Working Act, by Ms. Pingree, this is a bipartisan attempt to provide much-needed Federal support for working waterfronts across our country. I thank Ms. Pingree for this. She is thinking about, of course, the working waterfronts in Maine, but I have some wonderful working waterfronts in my district in Northern California, as well. And I think they would benefit a lot from this piece of legislation.

Commercial fishermen, of course, need a place to land their catch. Recreational anglers need to rely on harbors and marinas to reach their favorite fishing spots. Aquaculture, boatbuilding, and tourism businesses all depend on safe harbors and access to coastal waters.

It is important to remember that these and other coastal and ocean industries employ over 2 million people in this country and contribute over \$200 billion to our economy every year. This bill establishes the first Federal program to protect and improve working waterfronts that are so integral to these coastal economies. It would also protect public access, promote community participation, and bring together Federal, state, and local partners to collaborate on revitalizing these waterfronts.

Bringing together this kind of collaboration and this team is not bureaucracy, it is forward thinking legislation that can really make a difference for these communities and these waterfronts and for our economy.



You know, it is interesting. In my district, we are very clear that everybody shares and depends on a healthy, well-managed coast. We have some of the best shellfish growers in America in Humboldt and Tomales Bays. And they are right next to kayakers, surfers, and bird watchers. And that is all right next to some of the most expansive seagrass beds and sensitive estuarine ecosystems. Fishing vessels that I see docked in Bodega Bay and Trinidad are neighbors to local restaurants that serve fresh seafood.

And all of this works together, and it is exactly this kind of balanced and diverse use that makes our waterfronts the heart of many coastal communities in my district and beyond.

So, I think this is a great bill. I like the fact that it recognizes the historic, social, and economic importance of waterfronts, recognizes the importance of Federal investments. The Coastal Zone Management Act has helped states work with Federal Government to best manage these areas for several decades, and I think it is appropriate that this bill expands the scope of this Act to protect and promote working waterfronts.

I also look forward to discussing H.R. 221, Mr. Young's Hydrographic Services Improvement Amendments Act, also an important subject. It reauthorizes funding for vital navigation and safety services for NOAA's Office of Coast Survey. This is an important arm of the Federal Government. It maintains over 1,000 charts and publications used by Federal and state agencies, private organizations, and the public.

It is no small feat to do this for our Nation's 95,000 miles of shoreline and 3.4 million square nautical miles of water. So, I want to thank Chairman Young for introducing this bill. I think it is really important that we ensure Federal capacity for hydrographic surveys, for mapping and charting. These vessels do a wide range of activities and inform decisions with a lot of economic, environmental, and safety impacts.

And then, finally, Senator Flake's S. 140. This is a bill that clarifies the funding that Congress has already authorized important to protect drinking water interests in Indian Country. I think this is a good bipartisan piece of legislation, and I look forward to discussing it and the other bills this morning.

With that, I will yield the balance of my time and thank you, Mr. Chairman.

[The prepared statement of Mr. Huffman follows:]

PREPARED STATEMENT OF THE HON. JARED HUFFMAN, RANKING MEMBER,  
SUBCOMMITTEE ON WATER, POWER AND OCEANS

Thank you, Mr. Chairman.

I am glad to see bipartisan support for the bills that we are discussing today. We don't always agree on legislation in this Subcommittee, but there are ways that we can and should work together. I'd like to thank my colleagues for making that happen.

I'll start with H.R. 1176, the Keep America's Waterfronts Working Act. This bipartisan bill provides much-needed Federal support for working waterfronts across the Nation, from Maine to my district in California. Working waterfronts are essential to coastal businesses and communities. Commercial fishermen need a place to land their catch, recreational anglers rely on harbors and marinas to reach their favorite fishing spots, and aquaculture, boat building, and tourism businesses all depend on safe harbors and access to coastal waters.

These and other coastal and ocean industries employ over 2 million Americans and contribute over \$200 billion to our economy each year. This bill would establish

the first Federal program to protect and improve the working waterfronts that are integral to our coastal economies. It would also protect public access, promote community participation, and bring together Federal, state, and local partners to collaborate on waterfront revitalization efforts.

Productive working waterfronts in my district demonstrate the importance of planning and cooperation. These coastal communities are able to balance economic development, the environment, and public access and recreation because everyone shares and depends on a healthy, well-managed coast. We have some of the best shellfish growers in Humboldt and Tomales Bays, where there are also kayakers, surfers, and bird watchers among expansive seagrass beds and estuarine ecosystems. Fishing vessels docked at harbors from Bodega Bay to Trinidad are neighbors to local restaurants serving fresh seafood and residents fishing from a nearby pier. It is exactly these kinds of balanced and diverse uses that make waterfronts the heart of many coastal communities in my district and beyond.

In summary, H.R. 1176 recognizes the historic, social, and economic importance of waterfronts and provides the support that states need to maintain them. Coastal communities have weathered their share of tough conditions, but Federal investment ensures that they remain resilient, especially as changing oceans and increasing development threaten businesses. The Coastal Zone Management Act has helped states work with the Federal Government to best manage their coastal assets for the past few decades, and it is fitting that this bill expands the scope of this Act to protect and promote working waterfronts as part of effective coastal zone management.

I also look forward to discussing H.R. 221, the Hydrographic Services Improvement Amendments Act. This bill reauthorizes funding for vital navigation and safety services of NOAA's Office of Coast Survey, which maintains over a thousand charts and publications used by Federal and state agencies, private organizations, and the public. It is no small feat to do this for our Nation's 95,000 miles of shoreline and 3.4 million square nautical miles of water.

I'd like to thank my colleague Chairman Young for introducing this bill. It is critical that we ensure Federal capacity for hydrographic surveys, mapping, and charting. NOAA vessels and data support a wide range of activities and inform decisions with significant economic, environmental, and safety impacts.

As we face rapidly changing ocean conditions, hydrographic services will only become more important. This is particularly true in the Arctic, where we will eventually see ice-free summers. It is not a matter of if, but when and how soon. With that comes an entirely new seascape for maritime commerce and transport, defense, and natural resources. This bill allocates specific amounts to Arctic surveys, but I am concerned that the current language may constrain NOAA's capacity in the region, and I hope to discuss this further today.

Last, we'll hear about S. 140. This bill makes a small change to a previously-approved water rights settlement in order to allow the White Mountain Apache Tribe in Arizona to complete work on a rural water system. Specifically, the bill clarifies that funding Congress has already authorized for "water-related economic development" projects can be used to cover possible construction cost over-runs associated with the Tribe's main water project, which will provide drinking water supplies for tribal members once completed. I'm glad we're discussing this bill today, and I welcome future discussions on this Subcommittee about Indian water rights settlements and the serious problem of drinking water shortages in Indian Country.

With that, I'd like to thank all of our witness for being here today. I look forward to a productive discussion.

I yield back.

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Mr. LAMBORN. All right. Thank you. We will now move to our first witness panel to hear testimony from Ms. Pingree of Maine on her bill.

As a reminder, you are limited to 5 minutes, but your written statement will appear in full in the hearing record. Ms. Pingree, you are now recognized for 5 minutes to testify on H.R. 1176.

**STATEMENT OF THE HON. CHELLIE PINGREE, A  
REPRESENTATIVE IN CONGRESS FROM THE STATE OF MAINE**

Ms. PINGREE. Thank you very much, Chairman Lamborn and Ranking Member Huffman and to the other members of the Committee and to Mr. Young, who is with the Committee here today. Chairman Young, I sometimes call Maine Alaska Lite because our states have an awful lot in common, only everything there is bigger and colder.

I am very happy to testify on the Keep America's Waterfronts Working Act to talk a little bit about some of the things you have already discussed, the importance of supporting our working waterfronts, supporting our coastal communities, which I think this Committee is very well aware of, and hear from constituents across the country about the importance of people who make their living on the waterfront, whether it is boatbuilders on the West Coast, recreational fishermen in the Gulf of Mexico, commercial fishermen in the Gulf of Maine, the refrain is always the same: Water-dependent businesses along the coast need help in preserving and protecting their vital waterfront access.

I wanted to start by just quickly showing a video, with the indulgence of the Committee, and then I will just have a few comments after that.

So, if we could make the technology work.

[Video shown.]

Ms. PINGREE. Thank you. And if that doesn't make you want to visit the coast of Maine and have some delicious lobster—I am sure the Governor would join me in welcoming you to our state any time.

But as you heard from the fishermen, it is a simple concept. When the working waterfront is gone, there is no way to replace it. And once it disappears, there is just no way to bring it back.

As you heard, that is not just true in Maine. In 2009, when the National Working Waterfront Network compiled their statistics, they found that communities with working waterfronts support 3.4 percent of the country's GDP, almost 5 percent of total U.S. employment.

In Maine, specifically, it is our hardworking fishermen and lobstermen, an industry worth about \$700 million in overall value, including a dockside value of about \$533 million.

But we have other waterfront industries. Boatbuilding, one of our state's oldest industries, we have about 80 boatbuilders who employ 1,400 workers with wages totaling about \$59 million. And others, industries like marinas, energy-related industries, shipping, things that happen in all states.

At the state level we have the Maine Working Waterfront Access Protection Program, something all states should have, but we need more support. In this bill, I see a role for the Federal Government, not duplicating the efforts of the state, but maximizing dollars. The grant program that we have created is voluntary and allows states to decide if they want to participate in it. The working waterfront plans allow each state, rather than Congress or the Federal Government, to say what kinds of working waterfronts are important to that state.

I think the Federal Government should support states in these efforts and encourage states to consider the importance of supporting working waterfront infrastructure while recognizing each state has different needs.

I have been pleased to work on this bill with many of my colleagues in Congress over the years that I have been here, and have Congressman Wittman of Virginia, another waterfront state, as a participant and lead co-sponsor on this bill. It is a bipartisan bill, it would establish a working waterfronts grant program, and it would create a Working Waterfront Task Force that would bring many of the agencies together to work together and come to the table.

It is true that NOAA already has a Coastal Zone Management Program to address this effort. What this would do is make sure that some of the funds are dedicated specifically for this work.

I live on an island off the coast of Maine, and we have 14 year-round islands. I take a ferry that is an hour to get home. It is in the heart of the lobster-landing territory of the world, another reason you should come and visit, because it just doesn't get any better. But I have seen families who are stretched, who cannot afford to pay for the property taxes, who are the last holders of working waterfront.

In my town, the little bit of working waterfront that we have is where fishermen get their repairs, where they fuel up, where oil and gas is delivered to our community by boat. It is a critical part of both our recreational and commercial life in our community and in so many others.

I am just going to close with a quote from a lobsterman in Friendship, Maine, another serious lobster fishing community of about 1,100 people. He said, "As a lobsterman working on the regional ocean planning process, I've always said that fishermen need two basic things: a healthy stock to fish on, and the ability to access that resource. The access begins in the harbor at the shoreline. Without places to work on, store, load and unload their catch, gear, and boats, fishing, as we know it in Maine, will cease to exist." And that would be true in many other places.

Again, I thank you for your indulgence, and I appreciate your taking up this bill today.

[The prepared statement of Ms. Pingree follows:]

PREPARED STATEMENT OF THE HON. CHELLIE PINGREE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MAINE ON H.R. 1176

Thank you, Chairman Lamborn and Ranking Member Huffman, for allowing me to testify today about the Keep America's Waterfronts Working Act and the issue of working waterfronts generally. This is an important issue that I have been working on since coming to Congress. And I am eager to talk about it, and call attention to it whenever I can.

This Subcommittee knows well the importance of supporting our coastal communities. You hear on a regular basis, from constituents from across the country who make their living on the water. Whether they are boatbuilders from the West Coast, or recreational fishermen in the Gulf of Mexico, or commercial fishermen in the Gulf of Maine, the refrain is the same—that our water-dependent businesses along our coasts need help in preserving and protecting vital waterfront access.

I have a short 1-minute video that is actually produced by the Island Institute in my state, and that you will hear from in a later panel, to explain a little bit more about what a Working Waterfront is and what it means in Maine.

Could the Clerk please start the video, and I thank the Chair and the staff for their indulgence in allowing it.

[VIDEO PLAYS.]

So, as you can see, the men and women who work on the waterfront want to STAY there—these are their communities and their work.

Unfortunately, waterfront access is quickly disappearing under pressure from incompatible development. Our fishermen already have concerns about changes in the oceans, storm surge OR migration patterns in fish, OR changes in their lobstertraps—things they have never seen before in their traps. But when you add to these issues, the loss of access, it truly puts our communities, and their economies at risk.

According to the National Working Waterfront Network, in 2009 when they compiled their statistics on the footprint of Working Waterfronts they found that these communities support over 3.4 percent of the country's total GDP. They also found that they support almost 5 percent of total U.S. employment.

For Maine, specifically, we rely on our hardworking fishermen and lobstermen. Our commercial fishery is part of our core. In 2016, Maine's fishing industry topped \$700 million in overall value, including a dockside value for the lobster fishery of \$533 million.

Boatbuilding is one of the state's oldest industries, and we have nearly 80 boat builders employing nearly 1,400 workers, with wages totaling about \$59 million.

Maine's aquaculture sector has a direct economic impact of \$73.4 million in output, and over 550 jobs. This is an industry that has tripled in the past 10 years.

To support these industries, we need to do more. At the state level in Maine, we have a Maine Working Waterfront Access Protection Program, and although this program is wonderful, it's not enough.

For example, there are 22 working waterfront projects in Maine funded by the program and there are new applications coming due to the demand.

The Federal Government should be supporting this work with the same dedication that we have at the state level in some states—not duplicating efforts but maximizing dollars, bringing in more resources and making sure that the goals and plans that communities create can be brought to life.

The grant program created by this bill is voluntary and it allows states to decide if they want to participate in it. The working waterfront plans allow each state, rather than Congress or the Federal Government to say what kinds of working waterfronts are most important to that state.

The Federal Government should support states in these efforts and encourage states to consider the importance of supporting working waterfront infrastructure while recognizing that each state has different needs.

Seeing these needs, I have worked with my colleagues in the past Congresses and have been proud to work with Congressman Wittman of Virginia, to raise this issue and make sure that we call attention to Working Waterfronts with some concrete steps.

The bipartisan bill before us today would establish a working waterfront grants program and, it would create a Working Waterfront Task Force that would identify crucial needs and bring various Federal agencies to the table on this issue.

I know that NOAA already does great work in this area and also that they have the authority under the CZMA to address this effort. What our bill would do, is make sure we dedicate resources for this specific work.

Beyond this bill, there is more to be done and I have been working on another piece of legislation that is still in discussion draft stages to address if we can additionally support coastal communities through changes to the Magnuson Stevens Act.

We need to look at various ways to help coastal areas and that is why I am so grateful for this hearing today. I would welcome an opportunity for the Subcommittee to move the bill if possible.

In closing, I would like to read a quote from one of my constituents about the need for this work. This statement is from a fisherman from Friendship Maine, a community of about 1,100, "As a lobsterman working on the regional ocean planning process, I've always said that fishermen need two basic things: a healthy stock to fish on, and the ability to access that resource. That access begins in the harbor at the shoreline. Without places to work on, store, load and unload their catch, gear and boats, fishing, as we know it in Maine, will cease to exist."

Again, thank you for the opportunity to testify today and I look forward to the next panel.

Mr. LAMBORN. Thank you for your testimony, Representative. You are welcome to join us for the remainder of the hearing, but if you need to meet other obligations you are excused, and we will understand.

Mr. YOUNG. Mr. Chairman?

Mr. LAMBORN. Now I would like to recognize Mr. Young.

Mr. YOUNG. Mr. Chairman, I would like, before the Congresslady leaves, the ethics rules allow us to distribute product that is collected or manufactured within a state.

[Laughter.]

Mr. YOUNG. And if I am right, there are 18 members on this Committee. And I do know you have—because I want to thank you for your hospitality—one of the finest lobster packing plants up there, and there is no better way to sell a program than to see the real product broiled, or boiled, or steamed, along with butter. So, it is just a suggestion, that is all I am saying.

Ms. PINGREE. Can I just say that I am always happy to take advice from a more senior and more experienced Member. And if it would help the Committee to see favorably—

[Laughter.]

Ms. PINGREE [continuing]. I know they would remain impartial. But just in the gesture of friendship, I will do my best to fulfill that promise.

Mr. YOUNG. Thank you.

Mr. LAMBORN. Now I would like to recognize Mr. Young for 5 minutes to testify on his bill, if he would care to.

**STATEMENT OF THE HON. DON YOUNG, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF ALASKA**

Mr. YOUNG. Thank you, Mr. Chairman. I don't have any lobsters. But I do have crab. Thank you for taking up this bill. I was an original co-sponsor on this bill, and was Chairman of the Committee at that time, with Jim Saxton in 1998. My current legislation would reauthorize the Act through 2022 and allow NOAA to conduct and contract hydrographic surveys around the United States, with special specifics for the Arctic.

As you know, Alaska is the Arctic. And that makes the United States an Arctic Nation. And we sorely need mapping for the future traffic that goes around, over the Northwest Passage, and we need this badly.

Of course, we know that we have in Alaska 550,000 square nautical miles in the Arctic itself—this is the EEZ zone—and would take decades to survey that space. We would like to get it done a lot sooner, so we won't have any big accidents.

Waters, again—to give you an idea, the mouth of the Yukon River, the last time it was surveyed was 1899. This is one of the major transportation corridors that go into the interior. Port Clarence is currently being surveyed to update the area, because it is a new shipping port which will happen. And I need it to happen.

But we have, all around the United States, areas that we don't know for sure what is there, and mapping is badly needed. To give you an example, Houston, for instance, has some sunk ships, and

they say in the approximate area. Imagine what would happen if you ran into one of those sunk ships with a big tanker.

So, we have this need for this bill. It is really a reauthorization. I urge the passage of it, and I think it should be done. I am proud of the bill itself and the work that NOAA does, but they are so far behind, we wanted them to have the ability to do a contract whenever necessary to get this job done.

With that, I yield back and urge the passage of the bill.

[The prepared statement of Mr. Young follows:]

PREPARED STATEMENT OF THE HON. DON YOUNG, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF ALASKA ON H.R. 221

Thank you Chairman Lamborn and Ranking Member Huffman for considering my bill, H.R. 221 the Hydrographic Services Improvements Amendments Act.

I was an original co-sponsor and Chairman of this Committee when Rep. Jim Saxton (R-NJ) introduced the Hydrographic Services Improvements Act in 1998. My current legislation will reauthorize the Act through 2022 and will allow NOAA to conduct and contract for hydrographic surveys around the United States with a specific focus on the Arctic.

Alaska is what makes the United States an Arctic nation. My state has more coastline than any other state in this country, and we don't know what's under the surface. We are seeing a significant increase in vessel traffic, exploration, and resource development in our Arctic waters. While hydrographic surveys are a critical part of maritime safety, economic, and environmental efforts nationwide, they are especially important in the Arctic.

There are over 550,000 square nautical miles in the U.S. Arctic Exclusive Economic Zone (EEZ), and it would take decades to survey even half of that space. NOAA has designed 38,000 miles as survey priority areas, and estimates range up to 25 years to survey just those priority areas if resources remain at their current level.

Alaskan waters are incredibly under surveyed. Before this year, the last time the entrances and mouth to the Yukon River were surveyed was 1899. This river is the most effective route to deliver food and goods to coastal and inland villages in western Alaska, and the last on-the-ground surveys were completed the same year that gold was discovered in Nome.

Another region, Port Clarence, is currently being surveyed to update areas that have been avoided by shipping traffic because they don't know how deep the water is. This Port has been identified as a major development priority for Alaska and the Arctic, but there are still areas that ships avoid because we don't have accurate depth measurements.

Outside of Alaska, we have areas like Puget Sound in Washington that desperately needs updated survey data for the deep draft vessel traffic transiting to Seattle and Tacoma.

Around Houston, Texas, there are old shipwrecks and obstructions with their positions labeled as "approximate" on navigation charts. This is a real hazard to the oil tankers that travel to and from Port Houston.

Authorization for the Hydrographic Services Improvement Act expired in 2012. My bill would reauthorize the program through 2022, and authorizes the use of appropriated funds to collect data and conduct surveys in the Arctic. I thank the Committee for considering this legislation.

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Mr. LAMBORN. Thank you. I would also like to ask unanimous consent that the gentlewoman from Maine, Ms. Pingree, be allowed to join us at the dais and participate for the remainder of the hearing.

Seeing no objection, so ordered.

I would now like to call forward our second panel of witnesses. As they come forward, I will introduce them.

Our first witness is the Honorable Paul LePage, Governor of the State of Maine; our second witness is the Honorable Kasey

Velasquez, Vice Chairman of the White Mountain Apache Tribe from Whiteriver, Arizona; our third witness is Dr. Russell Callender, Assistant Administrator for Ocean Service and Coastal Zone Management for the National Oceanic and Atmospheric Administration, from Washington, DC; our fourth witness is Mr. Robert Snyder, President of the Island Institute from Rockland, Maine; and our final witness is Dr. David Millar, Government Accounts Director for the Americas for Fugro from Frederick, Maryland.

Thank you all for taking the time to be here. Each witness' written testimony will appear in full in the hearing record, so I ask that witnesses keep their oral statements to 5 minutes, as outlined in our invitation letter to you, and under Committee Rule 4(a).

I would also like to explain how our timing lights work. When you are recognized, press the talk button to activate your microphone. Once you begin your testimony, the Clerk will start the timer and a green light will appear. After 4 minutes, a yellow light will appear, and at that time you should begin to conclude your statement. At 5 minutes, the red light will come on. You may complete your sentence, but I would ask that you stop at that point.

Governor LePage, thank you for being here. You are now recognized for 5 minutes.

**STATEMENT OF THE HON. PAUL LE PAGE, GOVERNOR, STATE  
OF MAINE, AUGUSTA, MAINE**

Governor LEPAGE. Thank you, Chairman Lamborn, Ranking Member Huffman, and members of the Subcommittee. Thank you for the opportunity to speak today regarding H.R. 1176, the Keep America's Waterfronts Working Act.

Keeping waterfronts working is of utmost importance to the coastal economy in Maine. Access to water frontage for commercial fishing, agriculture, and other water-dependent businesses is imperative if we are going to sustain and grow jobs, particularly in the more rural areas of our state.

Maine voters have overwhelmingly demonstrated their support for marine economy again and again in recent years, including a 2005 referendum that authorized a constitutional amendment allowing current use valuation for land used for commercial fishing activities.

Voters have also supported bond initiatives over the last 12 years, and supported the Maine Working Waterfront Access Protection Program, which has protected 25 properties for commercial fishing access, totaling over 2.5 miles of coastline and benefiting over 1,100 fishermen.

Maine's coastline is over 5,300 miles, including the islands and the peninsulas. And this week, I will tell you, with the recent storm, we know it. There is no power in most of the state.

But only 175 miles of the coast has sufficient water depth and protection from weather to sustain business uses. Business use is further limited by the fact that only 20 of these miles have accessible low and high tide access at all times.

As development pressures increase in busy harbors, such as the city of Portland, and wealthy summer visitors buy up ocean frontage in mid-coast and down east Maine, high property tax burdens



are making it more and more difficult for fishing families to hold on to waterfront properties that have been in these families for generations.

Like many states, most of the waterfront businesses in Maine are small businesses, family owned and run businesses, and they face ever-increasing regulatory burden of compliance from Federal agencies. This bill would add to that burden.

The mechanism laid out in the bill are simply not the way to achieve the goal of keeping our waterfronts working. Reducing taxes, improving the science that underlies fisheries management, eliminating a burdensome and unnecessary regulation on small business and fair trade policies are far more important. However, they are not addressed in this bill.

First, any work truly intended to ensure ongoing access for commercial enterprise should be led by the Department of Commerce, rather than the Department of the Interior. The National Oceanic and Atmospheric Administration has responsibility for fisheries and coastal management. The Coastal Zone Management Act appropriately balances states' rights and the interest of industry with appropriate conservation marine resources. Adding another layer of Federal bureaucracy on the states and private enterprise is unnecessary and inappropriate, especially since additional resources could already be provided through existing programs without new laws, planning, or oversight from the Department of the Interior.

In fact, Maine recently moved our coastal program from the Department of Agriculture Conservation Forestry to the Department of Marine Resources to better align the needs of the coastal industries with the resources and expertise already available under our existing Federal, state, and local partnerships.

The Coastal Zone Management Act now allows the state to prioritize working waterfront within the coastal management plan, as Maine has done. There is no reason why the Secretary of the Interior should have a role in this program. The Department of Commerce and the state of Maine are already authorized to do so. The proposed grant program in the bill would fund the improvements, acquisition of land, or interest in land for working waterfront protection, which may be held by a private citizen, organization, or municipality.

However, the burden falls squarely on the shoulders of the state to ensure that the funding is appropriately applied at the time the award is made. Furthermore, the state would be obligated to ensure the property continues to allow public access to monitor the covenants on the property apparently into perpetuity. If a violation of a covenant occurs decades from now, the state would be obligated to manage this.

As governor, I have witnessed far too many cases of the Federal Government's inability to quickly address problems facing citizens across Maine. The government delay in addressing erosion around the Saco River has caused devastation for homeowners in the area. The delay in coming to an agreement with the European Union on the trade deal has significantly hurt Maine's lobster industry by placing them in a serious disadvantage with Canada.

[The prepared statement of Governor LePage follows:]

PREPARED STATEMENT OF HON. PAUL R. LEPAGE, GOVERNOR, STATE OF MAINE  
ON H.R. 1176

Chairman Lamborn, Ranking Member Huffman, and members of the Subcommittee, thank you for the opportunity to speak today regarding H.R. 1176, the "Keep America's Waterfronts Working Act." Keeping waterfronts working is of the utmost importance to the coastal economy in Maine. Access to waterfrontage for commercial fishing, aquaculture and other water-dependent businesses is imperative if we are going to sustain and grow jobs, particularly in the more rural coastal counties of Maine. Maine voters have overwhelmingly demonstrated their support for the marine economy again and again in recent years, including a 2005 referendum that authorized a constitutional amendment allowing current use valuation for land used for commercial fishing activities. Voters have also supported four bond initiatives over the last 12 years that supported the Maine Working Waterfront Access Protection Program, which has protected 25 properties for commercial fishing access, totaling over 2½ miles of coastline and benefiting over 1,100 fishermen.

Maine's coastline is over 5,300 miles long when you include all the islands and long peninsulas. But only 175 miles of the coast have sufficient water depth and protection from weather to sustain business uses. Business use is further limited by the fact that only 20 of those miles are accessible at all tides. As development pressures increase in busy harbors, such as the city of Portland, and wealthy summer visitors buy up ocean frontage in Mid-coast and Down-east Maine, high property tax burdens are making it more and more difficult for fishing families to hold on to waterfront property that have been in their families for generations. Like many states, most of our waterfront businesses in Maine are small businesses, family owned and run, and they face an ever-increasing regulatory burden of compliance from Federal agencies. This bill would add to that burden. The mechanisms laid out in this bill are simply not the way to achieve the goal of keeping our waterfronts working. Reducing taxes, improving the science that underlies fisheries management, elimination of burdensome and unnecessary regulations on small businesses and fair trade policies are much more important. However, they are not addressed in this bill.

First, any work truly intended to ensure ongoing access for commercial enterprises should be led by the Department of Commerce, rather than the Department of the Interior. The Department of Commerce's National Oceanic and Atmospheric Administration has responsibility for fisheries and coastal management. The Coastal Zone Management Act appropriately balances states' rights and the interests of industry with appropriate conservation of marine resources. Adding another layer of Federal bureaucracy onto the states and private enterprise is unnecessary and inappropriate, especially since additional resources could already be provided through existing programs without new laws, planning or oversight from the Department of the Interior. In fact, Maine recently moved our coastal program from the Department of Agriculture, Conservation and Forestry to the Department of Marine Resources to better align the needs of our coastal industries and communities with the resources and expertise already available under our existing Federal-state-local partnership. The Coastal Zone Management Act now allows states to prioritize working waterfront within their coastal management plans, as Maine has done. There is no reason why the Secretary of the Interior should have a role in that, since the Department of Commerce and the state of Maine are already authorized to do so.

The proposed grant program in the bill would fund the improvements, acquisition of land, or interests in land, for working waterfront protection, which may be held by a private citizen, organization or municipality. However, the burden falls squarely on the shoulders of the state to ensure that the funding is appropriately applied at the time the award is made. Furthermore, the state would be obligated to ensure the property continues to allow public access and to monitor the covenants on the property apparently in perpetuity. If a violation of the covenant occurred a decade from now, the state would be obligated to take action. And all of this would have to be done with no more than 5 percent administrative costs for a one-time award. I cannot, nor should any governor, in good conscience, accept one-time funds that will leave the state on the hook for administrative obligations and costs incurred well into the future.

Finally, creation of a multi-agency task force at the Federal level may unnecessarily delay the opportunity to take meaningful actions to preserve waterfront infrastructure, and it may create the potential for agencies with tenuous connections to working waterfronts to exert even more control over private enterprise. Maine's working waterfront program focuses on implementation, rather than endless planning. According to a recent EDA report, there are already 80 Federal financing

programs in place under which working waterfront properties would be eligible. How many of these existing programs are adequately funded to achieve their goals? Authorization of a new, targeted competitive grant program is meaningless without funding. As written, the program only serves to layer additional planning and reporting obligations onto the state with little hope of ever receiving limited Federal dollars.

As governor, I have witnessed far too many cases of the Federal Government's inability to quickly address problems facing citizens across Maine. The government's delay in addressing erosion along the Saco River has caused devastation for homeowners in the area. The delay in coming to an agreement with the European Union on a trade deal is significantly hurting Maine's lobster industry by placing them at a serious disadvantage with Canada. President Obama's administration disregarded the will of Mainers and established a national monument in northern Maine at a time when Interior is strained with a \$11.3 billion maintenance backlog. Without adequate funding for maintenance, I fear the monument will be more susceptible to a forest fire similar to the "Great Fire" in Acadia National Park in 1947. These examples reflect how the Federal Government is unable to quickly address existing issues—it will only get worse if new programs are added.

Instead of creating this new program, our small businesses, fishing families and lobster co-ops would benefit much more from regulatory reform that reduced their costs of doing business, tax reforms that reduced their financial burden and a trade policy that protects their interests by keeping the playing field level. There will be significant regional variability regarding the challenges working waterfronts and coastal communities face, so the Federal Government should leave the details to the states. Instead, the Federal Government should focus its efforts on streamlining environmental regulations to facilitate nimble business development in the face of changing environmental and economic conditions.

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Mr. LAMBORN. Governor, thank you for being here and for your testimony.

Governor LEPAGE. You are very welcome.

Mr. LAMBORN. Now I would like to recognize Vice Chairman Velasquez for 5 minutes.

**STATEMENT OF THE HON. KASEY VELASQUEZ, VICE-CHAIRMAN, WHITE MOUNTAIN APACHE TRIBE, WHITERIVER, ARIZONA**

Mr. VELASQUEZ. Good morning, Chairman Lamborn, Ranking Member Huffman, and members of the Committee. [Speaking in native language]. My name is Kasey Velasquez, I am the Vice-Chairman of the Tribal Council of the White Mountain Apache Tribe. I come to Washington, DC, with great respect for your work, and bring with me the prayers of our people.

Honorable Chairman Lupe was, unfortunately, not able to attend this hearing. He sends his regrets. He asked me to testify in his place.

Thank you for this opportunity to testify in support of Senate Bill 140, and thank you, Mr. Gosar, for your support in moving this vital legislation for the White Mountain Apache Tribe.

Our people have lived in eastern Arizona since time immemorial. The headwaters of the White River arise on our reservation and merge with the Black River to become the Salt River, which flows south to the Phoenix Valley. Water flowing from our Apache homeland built the skyscrapers there. Ironically, despite hundreds of miles of streams on our land, our own economic development has been stifled by a lack of safe, clean, and reliable drinking water for our people, housing, schools, hospital, and reservation residents. The reason is Mother Nature.

We have very little groundwater on our reservation, yet 14,000 people, almost our entire population, are dependent upon a declining well field that was built approximately two decades ago. That decline is not reversible. Production is down to half of what it was in 1999. There is no recharge.

There is also arsenic in our groundwater, natural arsenic in our groundwater. We have to blend it to meet EPA standards. Drinking water must be hauled by hand in one community and piped in another. New housing is needed to meet long-time and backlogged demand, but without reliable drinking water supply it cannot be built.

Congress recognized in the White Mountain Apache Tribe Waters Act that our current and future drinking water needs could only be met by surface water. And then only by building a rural water system, including a dam and a small reservoir with 6,000 acre-feet of active storage, a treatment plant, and a 55-mile pipeline to deliver the treated water to our communities.

Section 312 of the Water Rights authorizes up to \$78.5 million in the settlement fund for water-related economic development projects, among other listed purposes. Congress gave us broad discretion on how to use the \$78.5 million. Importantly, the White Mountain Apache Tribe waived significant water right claims against the Federal Government, the state of Arizona, and other downstream water users in consideration for this funding.

After the Water Rights Act became law, our engineer consultants discovered previously unknown potential seepage and the stability conditions in the foundation materials at the dam site. They advised that there will be a construction cost over-run to build a dam and reservoir. We are certain, however, that any cost over-run will not exceed the total amount already authorized in the Water Rights Act for the rural water system, the settlement fund, and the cost over-runs.

Moreover, the Congressional Budget Office has confirmed that S. 140 is budget neutral. We have always understood that the funding authorized by Congress for water-related economic development projects would naturally include using money from the settlement fund, if necessary, to pay for any cost over-run to complete the rural water system, a water-related economic development project in its own right.

We, therefore, become concerned that the Department of the Interior advised that it was not absolutely clear, from its perspective, whether the settlement fund could be used to pay cost over-run to build the rural water system. Enactment of Senate Bill 140 will assure Interior that the settlement fund, as needed, could be used to complete the rural water system.

As I testify before you today, I am mindful of an image and a hope that I have held for years, that I would be fortunate to live long enough to see a child in the community of Carrizo casually open a faucet on a kitchen sink to fill a glass with clean water, something they cannot do today.

Thank you.

[The prepared statement of Mr. Velasquez follows:]

PREPARED STATEMENT OF KASEY VELASQUEZ, TRIBAL VICE CHAIRMAN OF THE WHITE MOUNTAIN APACHE TRIBE, FORT APACHE INDIAN RESERVATION, ARIZONA ON S. 140

Chairman Lamborn, Ranking Member Huffman and members of the Committee: Thank you for the opportunity to testify in support of S. 140—a Bill to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

My name is Kasey Velasquez, and I am the Tribal Vice Chairman of the White Mountain Apache Tribe. We live on the Fort Apache Indian Reservation upon aboriginal lands which we have occupied since time immemorial. Our reservation is located about 200 miles northeast of Phoenix in the White Mountain Region of east central Arizona.

The Tribe's current water sources and antiquated infrastructure have been and continue to be grossly inadequate to meet the current demands and needs of our reservation communities. Fortunately, in 2009 we agreed to a quantification of our aboriginal and federally reserved water rights with various state parties following decades of litigation, and Congress then enacted the White Mountain Apache Tribe Water Rights Quantification Act<sup>1</sup> ("Quantification Act") (P.L. 111-291). The cornerstone of that Act, which confirmed the 2009 Water Rights Quantification Agreement and Settlement, is the authorization for the design and construction of the White Mountain Apache Tribe Rural Water System (the "Rural Water System") (P.L. 111-291), which will bring desperately needed safe and reliable drinking water to our tribe and its members.

S. 140 is needed to clarify the intent of a provision in the Act concerning the Rural Water System and will enable us to shift some amounts of already authorized spending among authorized activities. Specifically, the legislation would clarify Congress' intent to allow the Tribe to use the existing authority under Section 312(b)(2) of the Act for "water-related economic development" projects to complete the construction of the Rural Water System.

If this issue is not resolved, the completion of the Rural Water System project will be threatened, thereby increasing the ultimate cost to the United States and delaying the delivery of life-sustaining drinking water to our reservation communities.

FORT APACHE INDIAN RESERVATION AND THE TRIBE'S RESERVED WATER RIGHTS

The Tribe holds full beneficial title to 1.66 million acres of trust land in the east central highlands of the state of Arizona. The Tribe's Fort Apache Indian Reservation was established by Executive Order in 1871. We have retained actual, exclusive, use, and occupancy of our aboriginal lands within the boundaries we agreed to, and the boundaries were later designated by the Executive Orders dated November 9, 1871, and December 14, 1872, without exception, reservation, or limitation since time immemorial. The Tribe's vested property rights, including its aboriginal and other Federal reserved rights to the use of water, often referred to as Winters Doctrine Water Rights, that underlie, border, and traverse our lands, have never been extinguished by the United States and are prior and paramount to all rights to the use of water in the Gila River drainage, of which the Salt River is a major source.

Except for a small portion of the reservation that drains to the Little Colorado River Basin, virtually our entire reservation drains to the Salt River. The headwaters and tributaries of the Salt River arise on our reservation and are the principal sources of water for the Tribe and the greater metropolitan Phoenix area. Specifically, 78 percent of the water in Theodore Roosevelt Reservoir located north of the Phoenix Valley is contributed from our reservation; at Saguaro Lake Reservoir, further south, 60 percent of the water is contributed from our reservation; and below the confluence of the Verde River and Salt River, near Granite Reef Dam, Scottsdale, 42 percent of the water comes from our reservation. The importance of achieving implementation of our 2009 Water Rights Quantification Agreement is essential to the well-being of the White Mountain Apache Tribe and the downstream water users in the Phoenix Valley.

WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION ACT OF 2010

In 2010, Congress approved the historic White Mountain Apache Tribe Water Rights Quantification Act as part of the Claims Resolution Act of 2010 (P.L. 111-291). The legislation was sponsored in by Senator McCain, now-retired Senator Jon

<sup>1</sup>The White Mountain Apache Tribe Water Rights Quantification Act became Title III of the Claims Resolution Act of 2010 (the "Act"). P.L. 111-291.

Kyl, and the entire Arizona delegation in the House. Importantly, the Act was budget neutral.

The Quantification Act resolved the Tribe's water related damage and reserved water rights claims against the United States, the state of Arizona, and a number of state parties in regards to rights in the Little Colorado River and the Gila River (Salt River and Tributaries thereto). In consideration for the Tribe waiving its water related claims and prior reserved rights, the Act authorized funding for the construction of the Rural Water System—comprised of a dam and reservoir, treatment plant, and a 55 miles of pipeline to serve virtually every reservation community. In addition, the Act also authorized funding for, among other things: (1) cost-overruns for the Rural Water System (Sec. 312(e)) and (2) "water-related economic development projects" as part of the WMAT Settlement Fund (Sec. 312(b)).

The White Mountain Apache Tribe Water Rights Quantification Agreement, which was respectfully negotiated amongst all parties, was formally approved by the White Mountain Apache Tribe and all parties, including the Secretary of the Interior, and subsequently approved by the Superior Courts (Apache County and Maricopa County Superior Court) of the state of Arizona on December 18, 2014. The White Mountain Apache Tribe Water Rights Quantification Settlement Judgment and Decree was filed in Maricopa County and Apache County on March 15, 2015. The Judgments and Decrees become enforceable on the date that the White Mountain Apache Tribe Water Rights Quantification Act becomes enforceable with the publication by the Secretary of the Record of Decision allowing the construction of the Rural Water System project to go forward.

#### THE TRIBE'S DRINKING WATER CRISIS

The driving force behind the 2009 water rights settlement and the 2010 Quantification Act was the long-standing need to provide a reliable and safe water supply and delivery system to the members of the White Mountain Apache Tribe. The Tribe and Reservation residents are in urgent need of a long-term solution for their drinking water needs. Currently, the Tribe is served by the Miner Flat Well Field. Well production has fallen sharply and is in irreversible decline. Over the last decade, well production has fallen by 50 percent. A small diversion project on the North Fork of the White River was constructed several years ago to compensate for the precipitous loss of well production, but this was only a temporary fix and drinking water shortages remain a chronic problem. The Tribe experiences annual summer drinking water shortages, and there is no prospect for groundwater recovery as there is little or no groundwater on the reservation. The quality of the existing water sources threatens the health of our membership and other reservation residents, including the Indian Health Service Regional Hospital and State and Bureau of Indian Affairs schools. The only viable solution is the replacement of failing groundwater resources with surface water from the North Fork of the White River.

Without reservoir storage behind Miner Flat Dam, a feature authorized by the Act, the stream flows of the North Fork of the White River, supplemented by short-term capacity of the Miner Flat Well Field, are together inadequate to meet current, much less future, community demands of the White Mountain Apache Tribe in the Greater Whiteriver Area, Cedar Creek, Carrizo, and Cibecue and to maintain a minimum flow in the North Fork of the White River. The demands of the Tribe for its Rural Water System will literally dry up the North Fork of the White River before 2020, even in combination with a supplemental supply from the Miner Flat Well Field. Therefore, Miner Flat Dam is necessary to store 6,000 acre feet of water during runoff periods for release and enhancement of the North Fork of the White River to not only meet demands of the Reservation Rural Water System, but to maintain a minimum flow required for aquatic and riparian habitat preservation and enhancement.

In sum, the Rural Water System will replace the failing and terminal groundwater well system and enable the Tribe to construct a secure, safe, and reliable drinking water supply for the current 15,000 White Mountain Apache Tribal members and residents living on our reservation and to meet the increasing drinking water needs of the reservation for a future population of nearly 40,000 persons in the decades to come.

#### NEED FOR TECHNICAL CLARIFICATION

After passage of the Act, the Tribe used a prior loan from Reclamation to continue work on the design and geotechnical plan for the proposed dam site of the Rural Water System. In the course of this work, the Tribe's consulting engineers discovered potential seepage and stability conditions in the foundation material at the dam site than had not been previously known. The cost-overrun funding necessary

to address these design and construction issues will in no event be greater than the total amounts authorized in Sections 312(a), (b), and (e), of the Act which respectively authorized the Rural Water System, the WMAT Settlement Fund, and cost-overruns for the System.

The WMAT Settlement Fund authorized in Section 312(b)(2) of the legislation was written sufficiently broad to authorize the use of the fund for cost-overruns. Consistent with the goals of self-determination and self-sufficiency, Congress intended the Tribe to have wide discretion on how to use and prioritize any of the authorized uses in Section 312(b)(2)(C), which, as noted, includes the very broad category of “water-related economic development projects.” This intent—that we would have wide discretion on the use of these funds—has always been our understanding, and we have relied on that belief. Since the Rural Water System will serve a number of water-related activities from housing to hydropower, it fits squarely within the Settlement Fund’s authorized purposes. For example, the System will provide: (1) water for new and existing housing on the reservation and other municipal needs; (2) water for existing irrigation; (3) the ability to expand irrigation (approximately 2,000 acres); (4) improvements to the Alchesay fish hatchery; (5) lake-based recreation for fishing and non-motorized boats; and (6) the potential for small-scale hydro-electric (approximately 2 megawatts). Given the importance of the Rural Water System and its economic development purposes, the Tribe is willing to use this existing authorization to complete the Rural Water System in lieu of other development alternatives listed in Section 312(b).

Recognizing that the Rural Water System was the cornerstone of the Act and the consideration for the settlement of the Tribe’s water rights, Congress provided sufficient flexibility in its funding authorization to ensure that funding for the Rural Water System could be accessed from various authorizations, including Sections 312(a), (b), and (e). The Secretary is only authorized to require changes to the design of the Rural Water System if it cannot be constructed “for the amounts made available under Section 312.” Sec. 307(c)(2)(B)(iii). Section 307 does not limit how funds within Section 312 can be used, nor was it intended to.

Notwithstanding the language of the Act, the Department of the Interior has indicated that it is not absolutely clear (from its perspective) whether the Settlement Fund can be used for the System’s cost-overruns. Consequently, a technical amendment is necessary to clarify that authorization authority exists in Section 312(b) for any necessary cost-overruns associated with the WMAT Rural Water System.

The importance of our water rights settlement and the WMAT Rural Water System to the health and welfare of our people cannot be overstated. We must ensure its timely design and completion by resolving the cost issue within the Act’s existing authorization now, not later. This legislation would clarify that we have the necessary authorization to complete the project. If it is not resolved, the completion of the project will be threatened, thereby increasing the ultimate cost to the United States and delaying the delivery of life-sustaining drinking water to our reservation communities.

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Mr. LAMBORN. Thank you for your testimony and for coming all the way to be here today.

Dr. Callender, you are now recognized for 5 minutes.

**STATEMENT OF RUSSELL CALLENDER, ASSISTANT ADMINISTRATOR FOR OCEAN SERVICES, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, WASHINGTON, DC**

Dr. CALLENDER. Good morning, Chairman Lamborn, Ranking Member Huffman, and members of the Subcommittee. My name is Russell Callender. I am the Assistant Administrator for Ocean Services and Coastal Zone Management at the National Oceanic and Atmospheric Administration, or NOAA. In this capacity, I serve as the Director of NOAA’s National Ocean Service.

Thank you for the opportunity to testify today on legislation that would amend authorities for National Ocean Service programs. H.R. 221 would amend the Hydrographic Services Improvement Act, and H.R. 1176, the Keep America’s Waterfronts Working Act, would amend the Coastal Zone Management Act.

NOAA's hydrographic services date back to 1807, when the survey of the coast was established by President Thomas Jefferson. Today, these programs continue to support safe and efficient commerce by providing mariners with information they need to navigate the Nation's busy ports and waterways. While these programs have historic roots, today they employ cutting-edge science and technologies to provide more accurate and timely information that meets the requirements of a modern maritime nation.

The Hydrographic Services Improvement Act, or HSIA, provides explicit authority for NOAA to provide services in response to emergencies and disasters. The efforts of the men and women working in these programs in response to this year's storms was nothing less than stellar and often heroic.

We embedded NOAA navigation and spill response experts with the U.S. Coast Guard before each storm. We acquired aerial imagery for FEMA that was used to support first responders and the distribution of resources. We conducted hydrographic surveys from Texas to Puerto Rico, which informed the Coast Guard's decision to reopen multiple ports.

NOAA supports HSIA reauthorization, and appreciates the support of Congress for these missions and programs. The legislation includes specific funding levels for various programs. NOAA looks forward to working with the Subcommittee to ensure that the funding levels are consistent with the President's fiscal 2018 budget.

The Arctic is in particular need of modern hydrographic services. Longer ice-free seasons are resulting in increased vessel activity. NOAA is working to increase its Arctic presence, while balancing the needs of other U.S. ports and waterways. While NOAA has full authority to provide services across the entire country, including Alaska, we have no objection to the language authorizing activities in the Arctic.

NOAA is always working to improve program efficiency. We are taking steps to contain administrative costs associated with contract hydrographic surveys. We also know that the acquisition of new survey data is only part of the task. Raw data must be processed, quality assured, and ultimately be provided to mariners in the form of updated charts.

We look forward to working with the Subcommittee to fully understand the intent and effective language to limit administrative expenses for hydrographic surveys.

Section 3 of the legislation would direct the Government Accountability Office, or GAO, to conduct a cost comparison study. Congress requested this study in February 2016, and GAO completed it this past June 2017. NOAA is responding to GAO's recommendations. Therefore, NOAA recommends this section of the legislation be deleted. NOAA would welcome the opportunity to brief the Subcommittee on this study and our efforts to implement its recommendations.

H.R. 1176, Keep America's Waterfronts Working Act, would amend the Coastal Zone Management Act, or CZMA, which has served as a cornerstone for national coastal policy for 45 years. Under the CZMA, coastal states have discretion to use funding to address the needs of working waterfronts, and many states are doing so.



Although H.R. 1176 would give NOAA the authority to administer grants subject to appropriations, it would grant the Secretary of the Interior the authority to establish a Working Waterfront Task Force. NOAA recommends that the Secretary of Commerce be granted this authority. We look forward to working with the Subcommittee on H.R. 1176.

Thank you for the opportunity to testify today. I appreciate the Subcommittee's time and attention to these important issues, and look forward to the dialogue and answering questions. Thank you.

[The prepared statement of Dr. Callender follows:]

PREPARED STATEMENT OF W. RUSSELL CALLENDER, PH.D., ASSISTANT ADMINISTRATOR FOR OCEAN SERVICES AND COASTAL ZONE MANAGEMENT, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE ON H.R. 221 AND H.R. 1176

#### INTRODUCTION

Good morning Chairman Lamborn, Ranking Member Huffman, and members of the Subcommittee. My name is Russell Callender, and I am the Assistant Administrator for Ocean Services and Coastal Zone Management at the National Oceanic and Atmospheric Administration (NOAA), within the Department of Commerce. Thank you for the opportunity to testify today on two pieces of legislation pending before the Committee.

NOAA is an agency that enriches life through science and science-based services. From daily weather forecasts and severe storm warnings, to fisheries management, coastal restoration and supporting maritime commerce, NOAA supports economic vitality and affects more than one-third of America's gross domestic product. NOAA applies cutting-edge research, high-tech instrumentation and extensive network of partnerships to provide citizens, planners, emergency managers and other decision makers with the reliable information they need when they need it.

NOAA's roots date back to 1807, when the Nation's first scientific agency—the Survey of the Coast—was established by President Thomas Jefferson. Since then, NOAA has evolved to meet the changing needs the country and economy. NOAA maintains a presence in every state and has emerged as a leader in providing a broad range of science and useful services to inform and improve decision making.

#### H.R. 221—THE HYDROGRAPHIC SERVICES IMPROVEMENT AMENDMENTS ACT

H.R. 221 would amend the Hydrographic Services Improvement Act (HSIA) of 1998 in four ways: (1) authorizing HSIA activities through Fiscal Year 2022; (2) specifically authorizing hydrographic data collection in the U.S. Arctic for navigation safety and extended Continental Shelf (ECS) delineation; (3) limiting administrative expenses for hydrographic surveys; and (4) mandating a Government Accountability Office (GAO) study comparing the unit costs of hydrographic surveys conducted by NOAA and the unit costs of contract hydrographic surveys. My statement will address each of these issues in order.

H.R. 221 proposes to reauthorize the HSIA through FY 2022. NOAA supports HSIA reauthorization. We encourage the Committee to authorize funding levels consistent with the President's FY 2018 budget request for NOAA in core coastal navigation and observing (e.g. surveys and charts). This includes \$27 million for hydrographic surveys, \$35.8 million for geodetic functions and \$32 million for tide and current measurement functions.

H.R. 221 does not geographically define the U.S. Arctic, but in general and for the purposes of this testimony, NOAA uses the definition provided in the Arctic Research and Policy Act of 1984.<sup>1</sup>

NOAA recognizes the Arctic as a region in particular need of modern hydrographic services as a result of increased maritime activity involving energy, fishing and tourism. Our *Arctic Vision and Strategy*, as well as our *Arctic Nautical Charting Plan* and the U.S. Coast Guard's *Arctic Strategy* recognize the value of improved hydrographic services to ensure safe, secure, and environmentally respon-

<sup>1</sup>The Arctic Research and Policy Act of 1984 defines 'Arctic' as "all United States and foreign territory north of the Arctic Circle and all United States territory north and west of the boundary formed by the Porcupine, Yukon, and Kuskokwim Rivers; all contiguous seas, including the Arctic Ocean and the Beaufort, Bering and Chukchi Seas; and the Aleutian chain."

sible Arctic maritime activity and stewardship. NOAA already has full authority to provide these services to Alaska and the U.S. Arctic and support Congress highlighting this region as an emerging need.

Historically, remote Arctic waters have been relatively inaccessible with low levels of maritime commerce. As interest in Arctic economic uses grows, NOAA is working to increase its Arctic presence while balancing investments in the region against the needs in other U.S. navigationally significant areas that are also experiencing increased ship traffic. In recent years NOAA has invested in reconnaissance surveys by the NOAA Ship *Fairweather* up to and along the North Slope; NOAA and contract hydrographic surveys in the Bering Strait, Kotzebue, Kuskokwim, and the Krenitzin Islands regions; ECS surveys in partnership with the U.S. Coast Guard, U.S. Geological Survey, and Government of Canada; gravity data acquisition over northern Alaska for accurate positioning; and shoreline mapping of the north slope using the best available satellite data.

In August 2016, NOAA issued an update to its U.S. Arctic Nautical Charting Plan, which identifies regions with inadequate chart coverage. This update was informed by consultations with Arctic maritime interests, the public, and other Federal, state, and local agencies, in order to keep pace with the rapidly changing Arctic environment and the associated increase in maritime commerce and oil and gas extraction activities. NOAA also continues to work with the State Department, U.S. Geological Survey, and other partners on ECS delineation. The data acquisition phase for this effort in the Arctic is essentially complete, and the focus has now shifted to analysis of the extent of the U.S. continental shelf under international law. The exploration and research conducted also helps to identify and evaluate potential new marine resources, and to identify and characterize marine ecosystems and habitats. NOAA is also developing water level measurement technology that can endure the harsh climate of remote Arctic areas.

H.R. 221 includes a provision that would limit administrative expenses for hydrographic surveys to 5 percent. The bill does not specify to which funding this provision would apply, nor does it define administrative expenses. NOAA already does, and will continue to, limit the direct costs for administering contracts to 5 percent. But contract surveying also incurs other costs associated with data processing and charting, long-term archiving and delivery, infrastructure, and, most importantly, data quality assurance.

Data quality assurance and control is an essential step in the data acquisition process to ensure that delivered hydrographic data meets the technical requirements of the contract or task order. This ensures that charts and other products are accurate for safe navigation, fishing, storm surge modeling and numerous other applications. The 5 percent limitation proposed in the bill is insufficient to cover these other costs and could have a detrimental impact on NOAA's ability to manage hydrographic survey contracts and apply acquired data to the nautical chart in a timely fashion. It could result in replacing a backlog of surveying requirements with a backlog of data to chart and deliver to mariners. We look forward to working with the Committee to clarify the bill's provision on administrative expenses.

Finally, the draft bill would authorize a GAO study to compare NOAA and contract survey costs. However, GAO already conducted a study on this, which began in February 2016 and was completed in June 2017. NOAA currently is responding to GAO's recommendations and has already delivered on several of them. NOAA would welcome the opportunity to brief the Committee on the study and our efforts to implement its recommendations.

#### H.R. 1176—KEEP AMERICA'S WATERFRONTS WORKING ACT

H.R. 1176, Keep America's Waterfronts Working Act, would amend the Coastal Zone Management Act (CZMA), which has served as a cornerstone for national coastal policy for 45 years. NOAA recognizes the CZMA is a viable conduit to provide assistance to the Nation's working waterfronts.

Although H.R. 1176 would give NOAA the authority to administer grants (subject to appropriations), it would grant the Secretary of the Interior the authority to establish a task force to "identify and address critical needs with respect to working waterfronts." Given that the bill would amend the CZMA and directs NOAA to develop and administer the grants program, NOAA recommends that the Secretary of Commerce be granted the authority to establish the Working Waterfront Task Force and appoint its members under Section 320(b)(1) as added to the CZMA. NOAA also recommends that the definition of "Secretary" in Section 320(m)(2) be clarified as Secretary of Commerce, acting through NOAA. Finally, in Section 320(b)(2)(B) NOAA recommends that the reference to the Coastal Services Center be updated and be replaced with the "Office for Coastal Management" so that it reads

“representatives from the National Oceanic and Atmospheric Administration’s Office for Coastal Management, the United States Fish and Wildlife Service, the Department of Agriculture, the Environmental Protection Agency, the United States Geological Survey, the Navy, the National Marine Fisheries Service, and such other Federal agencies as the Secretary considers appropriate.”

NOAA is aware of the numerous challenges facing working waterfront communities and provides support to address these challenges. Under the CZMA, coastal states have discretion to use funding to address the needs of working waterfronts, and many states are doing so. States use grants authorized under Section 306 of the Act to support local waterfront planning, as well as low-cost construction grants authorized under Section 306A to build boardwalks, boat ramps, and public fishing piers. Additionally, enhancement funds authorized under Section 309 provide support for waterfront Special Area Management Plans, which share many of the goals of the working waterfront plans authorized under H.R. 1176.

We share the Subcommittee’s interest in assisting working waterfront communities in coastal areas, and we look forward to working with the Subcommittee on H.R. 1176.

#### CONCLUSION

Thank you again for the opportunity to provide this testimony on these two pieces of legislation pending before the Committee. I appreciate the Subcommittee’s time and attention to these important issues and I look forward to working with you further.

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Mr. LAMBORN. All right, and thank you.  
Mr. Snyder, you are now recognized for 5 minutes.

#### **STATEMENT OF ROBERT SNYDER, PRESIDENT, ISLAND INSTITUTE, ROCKLAND, MAINE**

Dr. SNYDER. Good morning. Chairman Lamborn, Ranking Member Huffman, and members of the Committee, thank you for the opportunity to testify today on H.R. 1176. My name is Rob Snyder, and I am President of the Island Institute.

The Island Institute is a community development organization based in Rockland, Maine that cares deeply about working waterfronts. We work to sustain island and coastal communities, and our highest priority is helping communities strengthen and diversify their economies.

In fact, I have spent the last 15 years helping coastal businesses and communities overcome significant challenges and take advantage of opportunities to improve working waterfront infrastructure. It was actually kind of nice to hear Governor LePage reflect on the past 13 years of success of some of that programming, particularly the creation of the Working Waterfront Access pilot program in Maine.

So, the first point, which has been iterated over and over again, is that working waterfronts are critical to our economy in Maine and around the country. As Representative Pingree noted, Maine is highly reliant on the lobster industry. In fact, just three of Maine’s communities—Rockland, my hometown; Vinalhaven; and Stonington—land about \$114 million worth of lobster—they did that in 2015—almost equal to the value of all the commercial fisheries in New Hampshire, Rhode Island, and Connecticut, combined.

Every one of the 270,000 fishing trips Maine lobstermen take each year starts and ends at a working waterfront. And every pound of the \$130 million of lobster that you guys want to taste, all of that, all of that crosses a working waterfront on its way to

markets around the globe. Nationally, fishermen land about \$5.2 billion worth of fish, which means that the lobster industry in Maine is responsible for about 10 percent of the total value of commercial landings in this country.

The second point that I want you all to think about is that this infrastructure and the associated businesses face a variety of threats that emerge from beyond their local communities. This is why I view it as a public policy issue.

First of all, access to markets matters. The ability to access domestic international markets plays an important role in the health of our coastal communities. Trade with Canada, Europe, and China, as well as the strength of the dollar, have all had a direct impact on the viability of our working waterfronts.

The second aspect to this is that climate matters. An unseasonably warm summer in 2012 in the ocean caused lobsters to shed their shells 6 weeks early. The early shed led to an unanticipated increase in the landings before processors were ready to handle it. The price of the product tanked the industry, fishing businesses struggled to make loan payments, and our coastal communities lost about \$50 million during that time, just in those few weeks.

In addition to warming events, direct wave action from sea level rise and also from storm surge can easily cause significant damage to the docks, coolers, fuel tanks, and parking lots, as unglamorous as they may sound, which are critical to our working waterfronts. Despite these threats, fishermen need these places that provide a physical connection between the land and sea.

My third point that I think you also all understand very well is that this issue has significant national constituency. This is not just an issue for Maine fishermen. There is a national constituency supporting small businesses that care about this infrastructure.

Through years of experiencing connecting fishermen and community leaders from Alaska, California, Louisiana, Florida, North Carolina, Virginia, Maryland, and elsewhere, we find an incredible commitment to supporting local working waterfronts, and that commitment led to the creation of the national Working Waterfront Network, which includes representatives from all of our coastal states.

Working waterfronts are an issue that are important to tens of thousands of people—actually, millions today—from longshoremen, tugboat captains and crew, able-bodied seamen, merchant marines, truck drivers, marine diesel mechanics, welders, fabricators, and others who work at boatyards and marinas, fishermen, clambers, aquaculture, seafood processors—these are the people who rely on working waterfronts to help make a living. These are the people who will benefit from this program.

In conclusion, I am just going to scale back a little bit and say, in the mid-1970s in this country we actually did something incredibly bold, which was to claim 200 miles of ocean around our entire perimeter for an exclusive economic zone. We did that with the express purpose of maximizing the economic benefit we would gain from our oceans that would benefit not only the Nation, but also our coastal communities. This working waterfront is an incredibly important part of ensuring that we can continue to maximize the

economic benefit of that region for our Nation and for the places we care about.

And this program provides an incredibly important catalyst that will take place everywhere where those grants are made. People will have new kinds of discussions about how the waterfront is evolving, and what their future is going to look like, and how they want to invest in it from across the public and private sector, and that is, I think, an incredible opportunity for all of us.

[The prepared statement of Dr. Snyder follows:]

PREPARED STATEMENT OF ROB SNYDER, PRESIDENT, ISLAND INSTITUTE ON H.R. 1176

Chairman Lamborn, Ranking Member Huffman, members of the Committee, thank you for the opportunity to testify today. My name is Rob Snyder and I'm the President of the Island Institute, a community development organization based in Rockland, Maine. The Island Institute cares deeply about working waterfronts. As an organization, we work to sustain Maine's island and coastal communities and exchange ideas and experiences to further the sustainability of communities in Maine and elsewhere. I have spent the last 17 years helping coastal businesses and communities overcome significant challenges and take advantage of opportunities to improve their working waterfront infrastructure.

Just three of Maine's communities—Rockland, Vinalhaven, and Stonington—landed about \$114 million worth of lobster in 2015, almost equal to the value of all of the commercial fisheries in New Hampshire, Rhode Island, and Connecticut, combined. Everyone of the 270,000 fishing trips Maine lobstermen take each year starts at a working waterfront and every pound of the 130 million pounds of lobster that fishermen land, crosses a working waterfront on its way to markets around the globe.

In fact, the American lobster, is the single most valuable species landed in the entire United States and 80 percent of that catch comes from Maine. Last year, the lobsters landed by Maine lobstermen were valued at over \$533 million. Nationally, fishermen landed \$5.2 billion worth of fish—which means the lobster industry in Maine is responsible for about 10 percent of total value of commercial landings in the country.

In Maine, our working waterfront infrastructure and the businesses that they rely on face a variety of threats from shifts in the economy, government policy and environment. For fish and aquaculture products, the ability to access markets, and especially international markets, plays an important role in the health of coastal communities. Trade with Canada, Europe, and China as well as the strength of the dollar, all have a direct bearing on the viability of businesses that need a working waterfront.

Unseasonably warm waters in 2012 shifted the timing of the lobster shed and lobsters shed their shells 6 weeks early. The early shed led to a significant and unanticipated increase in landings before the processors were ready to handle the increased product flow. The price tanked, and fishing businesses struggled to make loan payments or pay their crews.

Storm surge has the potential to structurally change the communities and economy of our coast. Direct wave action or elevated water levels in a protected cove can easily cause significant damage to the infrastructure that supports fishing. From floating docks to bait coolers and fuel tanks, there is a lot of important and expensive infrastructure along the coast, and constraints placed on financing properties in the flood zone exacerbate these issues. Fishermen need these places that provide a connection between land and ocean. They are the quintessential "water-dependent, coastal related businesses."

While the Island Institute is based in Maine and cares deeply about communities in Maine, we know that communities across the country are working on ideas and innovations that might help Maine's communities. Through years of exchanging shared challenges, and solutions with fishermen and community leaders from Alaska, California, Louisiana, Florida, North Carolina, Virginia, Maryland, and elsewhere, we have found an incredible commitment to supporting local working waterfronts. Because of their importance to local economies, and in many cases to the local identity, working waterfront conversations attract a wide range of stakeholders.

Even at the national level, the issues facing our Nation's working waterfronts attract a diverse group of stakeholders. The National Working Waterfront Network brings together a variety of stakeholders from every coastal state that includes

businesses, industry associations, community leaders, government agencies, and others to help address shared challenges.

One underlying theme from across the country is that our Nation's working waterfronts are only as strong as the businesses they support. If the underlying business is struggling, the working waterfront falls into disrepair. Even if a working waterfront hosts a strong business, its prime location on the water may make it highly desirable. Skyrocketing coastal property values, and increasing tax burdens can put pressure on the owners to turn the property into condos or another high value use.

Estimates from 2009 suggest that ocean-based economic activity represents 3.4 percent of total U.S. GDP and 4.8 percent of total U.S. employment—in 2009, there were over 130,000 business paying almost 2.4 million employees over \$84 billion in wages and benefits. Much of this activity is associated with a working waterfront. **I would suggest that congressional leaders are not paying enough attention to the specific needs of small, water-dependent coastal businesses and we should be asking questions about how we could be supporting and fostering innovation on working waterfronts.**

At their core, each working waterfront represents a local economic and land use issue, but across the country, each of these working waterfronts ends up facing many similar challenges. Whether it is a small family owned marina in Florida, larger port infrastructure in Washington, open access to facilities in California, or dredging the channels in the Great Lakes, the challenges facing working waterfronts have a Federal connection and Federal agencies are already involved in working waterfront businesses. **This raises questions about how Federal agencies consider working waterfronts when they are awarding grants, promulgating regulations, or making permitting decisions.**

In addition to helping start a conversation about the issues above, H.R. 1176 directly addresses a conclusion reached in a report that the National Working Waterfront Network produced for the U.S. Economic Development Administration. The report found that there are very few Federal programs specifically available for working waterfronts and for those that are available, working waterfronts are an "allowable use of funds" rather than a "primary use of funds." The report concluded that for these programs, "lack of specificity makes them ineffective in addressing the drivers of change that threaten working waterfronts."

Investing in our Nation's working waterfront businesses, makes an investment at the center of economic activity for our coasts. Supporting these places and ensuring their long term viability as working waterfront infrastructure provides a connection that goes well beyond the bounds of the specific waterfront business. The benefits of these investments will flow to the broader community, and particularly in rural areas, will allow us to maximize the benefit from ocean resources and enhance the strength of our coastal communities.

Thank you for your time.

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The following documents were submitted as supplements to Mr. Snyder's testimony. These documents are part of the hearing record and are being retained in the Committee's official files:

#### APPENDICES AND ATTACHMENTS

- Island Institute—Waypoints—<http://www.islandinstitute.org/waypoints>
- Island Institute—Lobsters and Ocean Planning—<http://www.islandinstitute.org/resource/lobster-and-ocean-planning>
- Island Institute—Last 20 Miles—<http://www.islandinstitute.org/resource/last-20-miles>
- Sustainable Working Waterfront Toolkit—[http://www.wateraccessus.com/docs/report/EDA\\_FinalReport.pdf](http://www.wateraccessus.com/docs/report/EDA_FinalReport.pdf)
- 2015 Fisheries of the United States, NOAA—<https://www.st.nmfs.noaa.gov/Assets/commercial/fus/fus15/documents/FUS2015.pdf>
- National Working Waterfronts and Waterways 2015 Symposium Report—<http://www.wateraccessus.com/docs/symposia/senseofthesymposium2015.pdf>
- National Working Waterfront and Waterways 2013 Symposium Report—[http://depts.washington.edu/wwater13/Sense-of-the-Symposium\\_Ir.pdf](http://depts.washington.edu/wwater13/Sense-of-the-Symposium_Ir.pdf)

- National Working Waterfronts and Waterways 2010 Symposium Report—  
<http://www.wateraccessus.com/docs/symposia/senseofthesymposium2010.pdf>
- National Working Waterfronts and Waterways 2007 Symposium Report—  
<http://www.wateraccessus.com/docs/symposia/senseofthesymposium2007.pdf>
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Mr. LAMBORN. OK, thank you.  
Mr. Millar, you are now recognized for 5 minutes.

**STATEMENT OF DAVID MILLAR, GOVERNMENT ACCOUNTS  
DIRECTOR, FUGRO, FREDERICK, MARYLAND**

Mr. MILLAR. Chairman Lamborn, Ranking Member Huffman, and members of the Subcommittee, thank you for this opportunity to appear before you. My name is David Millar, and I am the Government Accounts Director in the Americas for Fugro. I am pleased to provide comments on H.R. 221 today.

Safe navigation in U.S. waters is vital to waterborne commerce, commercial and recreational fishing, and tourism around the country. It is also increasingly important for national security and homeland security missions. My background includes 28 years of experience with ocean and coastal mapping, including the delivery of hydrographic survey services to NOAA.

Fugro is the world's leading independent provider of geointelligence and asset integrity solutions for large construction, infrastructure, and natural resource projects. Our U.S. and Americas regional headquarters are located in Houston, with 1,200 employees across 37 offices in 13 states.

Since 1997, Fugro has supported NOAA's Office of Coast Survey in the execution of hydrographic surveys all over the United States and its territories. Most recently, during the 2016 and 2017 survey seasons, Fugro was contracted to provide hydrographic survey services of approximately 200 square nautical miles in Penobscot Bay, Maine. Until these surveys, mariners were relying on chart data that were between 67 and 142 years old.

In executing these surveys, Fugro verified in excess of 4,200 features, submitted 154 dangers to navigation, and discovered one previously uncharted shipwreck. The surveys were conducted during the peak lobster and tourism season, which presented challenges due to high density of lobster traps and vessel activity. To gain efficiency, reduce costs, and lower risk to people and property, Fugro developed an innovative survey plan that integrated aircraft, laser, and camera technology, and vessel-based acoustic technology. This approach allowed the project to be completed almost twice as fast as traditional vessel-only surveys, and completely avoided conflicts with the lobster fishery.

Much of the experience required to execute our work in Maine came from years of conducting equally challenging surveys in Alaska.

Nationwide, NOAA is responsible for maintaining over 1,000 charts and publications, covering 95,000 miles of shoreline and 3.4 million square nautical miles of water. Over one-third of this area is located in Alaska, and as a result, the state has always been high on NOAA's list of charting backlog priorities.

Fugro has been operating in Alaska since the mid-1980s and has conducted more than 20 hydrographic surveys for NOAA in the state, including areas where charts relied on measurements made by Captain Cook in the late 1700s. Current and accurate nautical charts are required to support shipping fisheries, energy and natural resource expiration and development, as well as naval and Coast Guard vessels responsible for patrolling and protecting these waters.

Despite NOAA's efforts to decrease the charting backlog, the need in Alaska is daunting, and at the current pace it will take decades to address. Two recent incidents demonstrate the stakes in this region.

First, in July 2015, the *MV Fennica* struck an uncharted rock in Alaska's harbor, delaying Shell's operation in the Chukchi Sea by more than a month.

Second, in June 2016, the chemical tanker *MV Champion Ebony* ran aground on a non-charted shoal in southwest Alaska. She was carrying more than 14.2 million gallons of fuel products and, fortunately, was able to refloat without a spill.

Turning to provisions included in H.R. 221, I would first like to thank Congressman Young for his strong support of the hydrographic survey work in the United States. While NOAA, the private sector, and many stakeholders who rely on accurate navigational charts are important to this discussion, it has been and continues to be Congress' role to determine levels of funding and to identify key priorities.

As noted in the June 2017 GOA study on NOAA's use of contract surveyors, the agency said it is expanding its use of private-sector resources, but it is constrained, due to budget limitations. Congress provided direction to the agency to increase the use of contract surveyors in its 2009 amendments to the Act, and I believe H.R. 221 will ensure that progress is made to achieve this goal.

I know these are challenging budget times. However, I am here to make the case that Congress should increase funding levels to support accelerated work to eliminate the charting backlog. Higher funding should cover contract survey work, as well as NOAA's internal contributions to this mission.

Section 2 of H.R. 221 does increase the baseline levels for contract survey work, which is very positive, and it is my recommendation that Congress do as much as possible in this area to achieve real progress.

Section 2(b) of the Act addresses funding and the Arctic charting activities with more and larger vessels expected to be operating in the Arctic Ocean in the future. The risks are significant. I believe it is safe to say that funds invested now through better navigational charts will be far less than the cost of addressing a maritime casualty in the U.S. Arctic.

In conclusion, thank you for allowing me to give testimony on this matter. I would be happy to answer your questions for H.R. 221.

[The prepared statement of Mr. Millar follows:]



PREPARED STATEMENT OF DAVID MILLAR, GOVERNMENT ACCOUNTS DIRECTOR—  
AMERICAS, FUGRO ON H.R. 221

Chairman Lamborn, Ranking Member Huffman, and members of the Subcommittee, thank you for this opportunity to appear before you as you consider a trio of water bills. My name is David Millar and I am the Government Accounts Director—Americas for Fugro, based in Frederick, Maryland. In particular, I will be providing comments on H.R. 221, a bill to reauthorize the Hydrographic Services Improvement Act of 1998. Safe navigation in U.S. waters is vital to waterborne commerce, commercial and recreational fishing, and tourism around the country. It is also increasingly important for national security and homeland security missions.

My background includes 28 years of experience with marine navigation and positioning, hydrographic survey, and ocean and coastal mapping. I was recently appointed as Government Accounts Director—Americas, where I serve as Fugro's key account manager for the U.S. Government, other national governments within the Americas Region, the United Nations, the World Bank, and other multilateral development banks. In this capacity, I interface between Fugro's government customers and all of Fugro's site characterization and asset integrity service offerings across the company's land and marine divisions. I also serve on the board of directors for The Maritime Alliance, as well as the Establishment Board of Seabed 2030. For the 8 years prior to this appointment, I served as the President of Fugro Pelagos, Inc., a Fugro company specializing in hydrographic survey and ocean and coastal mapping. My responsibilities included managing approximately 80 staff and an annual budget of approximately \$20M. I also oversaw the delivery of hydrographic survey services to NOAA, as well as the expansion of these services to other national hydrographic offices, including CHS (Canada), UKHO (United Kingdom) and GCS (Kingdom of Saudi Arabia).

Fugro is the world's leading, independent provider of geo-intelligence and asset integrity solutions for large construction, infrastructure, and natural resource projects. We provide the technical data and information required to design, construct, and maintain structures and infrastructure in a safe, reliable, and efficient manner. Our U.S. and Americas regional headquarters are located in Houston, Texas, and we employ 1,200 employees across 37 offices in 13 states in the United States. Working predominantly in the energy and infrastructure markets, we serve both public- and private-sector clients on land and at sea.

Fugro has been a contractor for NOAA, National Ocean Service (NOS), Office of Coast Survey (OCS) backlog support since the mid-1990s and has been an industry partner with NOAA's University of New Hampshire Center for Coastal and Ocean Mapping/Joint Hydrographic Center (UNH CCOM/JHC) for almost as long. Through this partnership, innovation, research and development in the area of ocean and coastal mapping has been successfully adopted and applied by Fugro to non-hydrographic survey applications, such as deep ocean search and hydrocarbon seep exploration. Most recently, these technologies were utilized by Fugro's United States staff to map approximately 900,000 km<sup>2</sup> in the Gulf of Mexico, making it the largest hydrographic survey ever executed.

In addition to its contract with NOAA OCS, Fugro also holds multi-year contracts with NOAA's National Geodetic Survey (NGS) and Office for Coastal Management (OCM), as well as with the U.S. Army Corps of Engineers (USACE), the U.S. Geological Survey (USGS), the U.S. Bureau of Reclamation (BOR), the Federal Emergency Management Agency (FEMA), and the U.S. Navy.

Since 1997, Fugro has supported NOAA's OCS in the execution of hydrographic surveys all over the United States and its territories, including Maine, the Gulf of Mexico, the Marianas Islands, and Alaska. Most recently, during the 2016 and 2017 survey seasons, Fugro was contracted to provide hydrographic surveying services of approximately 200 km<sup>2</sup> nautical miles in Penobscot Bay and Jericho Bay in Maine. The area, characterized by a vibrant lobster fishery and high vessel traffic, was identified by NOAA as a priority area for nautical chart updates. Until these surveys, charts in the area were between 67 and 142 years old and lacking in detail due to technology limitations at the time of the prior surveys. One difficult aspect of conducting surveys in coastal Maine is the complexity of the coastline and the large number of submerged rocks. In fact, over the two seasons, Fugro verified in excess of 4,200 features, submitted 154 Dangers to Navigation, and discovered one previously uncharted ship wreck.

The survey, over the highly complex coastline and shallow waters, was also challenged by the peak of lobster season, due to the high density of lobster trap rigging and the continual need for avoidance maneuvering. In an effort to gain efficiency, reduce costs, and lower personnel/property risk, Fugro developed a survey plan that involved the integration of aircraft-based laser and camera technology with vessel-

based acoustic technology. Such an approach allowed the project to be completed almost twice as fast as traditional vessel-only based surveys, while avoiding conflict with the lobster fishery. To this end, NOAA and Fugro proactively engaged the Maine Lobstermen's Association in advance of the surveys, maintained constant communications during the surveys, and hosted a Stakeholders Meeting in Belfast, Maine, in September 2017.

Much of the experience required to execute such a complex set of projects in Maine came from years of conducting equally challenging surveys in Alaska. Fugro has been operating in Alaska—specifically Arctic Alaska—since the mid-1980s, and over the past 20 years has conducted on the order of 20 hydrographic surveys for NOAA in the state. Nationwide, NOAA is responsible for maintaining over 1,000 charts and publications, covering 95,000 mi of shoreline and 3.4 million nautical mi<sup>2</sup> of water. Over one-third of this area is located in Alaska, and as a result, the state has always been high on NOAA's list of charting backlog priorities. Over the 20 years that Fugro has supported NOAA in Alaska, the company conducted surveys in areas where data on the nautical charts were acquired by Captain James Cook, and in others where no prior data existed; i.e., areas that had never been surveyed before.

The backlog of hydrographic survey data and nautical charting updates in Alaska has always been daunting, but an ice diminishing Arctic is compounding the demand. The reduction in sea ice in the Arctic Ocean means that the region is seeing continued increases in vessel activity, making the need for current and accurate nautical charts ever more urgent. These data, which can really be considered the most basic form of infrastructure, are required to support an already evident increase in shipping and cruise industry traffic, the inevitable activities associated with energy and natural resource exploration and development, as well as the naval and Coast Guard vessels that will ultimately be responsible for patrolling and protecting these waters. In fact, in recent years, Fugro has conducted numerous surveys in the Beaufort and Chukchi Seas in support of oil and gas exploration, as well as infrastructure development, including the survey of a submarine cable route that connects several remote communities along the north and west coast of Alaska. Data from this survey were also provided to NOAA by the owner, as an outside source data contribution.

Despite NOAA's annual efforts to decrease the growing hydrographic data and nautical charting backlog, the need in Alaska is daunting and it will take decades to address. Two recent incidents demonstrate the stakes in this region. First, in July 2015, the MV Fennica struck an uncharted rock in Unalaska's harbor. The incident was unfortunate on many levels, but first and most importantly because the MV Fennica was a required support vessel for Shell's drilling activities in the Chukchi Sea. The resulting damage necessitated repairs in the Lower 48, which delayed Shell's operations by more than a month. Second, on June 24, 2016, the chemical tanker MV Champion Ebony ran aground on an uncharted shoal near Nunivak Island in southwest Alaska. She was carrying more than 14.2 million gallons of fuel products, and fortunately was able to refloat without a spill. Both of these near-misses demonstrate the value of current and accurate charts that are created using modern survey technologies and methods.

Beyond the Arctic, many other areas also face significant data gaps and charting backlogs. In fact, the United States has yet to map its extended continental shelf using modern methods. This situation is further complicated by the impact of major storms and hurricanes. Every time a major storm or hurricane hits the United States, NOAA's hydrographic survey and nautical charting backlog priorities are overshadowed by post-hurricane mapping priorities. NOAA's limited resources and budgets often need to be re-directed to address the urgent needs that follow a major hurricane, such as those recently experienced with Hurricane Harvey, Hurricane Irma and Hurricane Maria. These events destroy coastal infrastructure, cause coastal erosion, and change the accuracy of existing nautical charts. In many cases, natural shoals and man-made debris appear in locations where they did not previously exist. This obviously creates an extremely dangerous situation and liability that needs prompt resolution. So, when these events occur, NOAA needs to immediately re-prioritize and is not able to progress the already delayed mapping of its hydrographic survey and nautical charting backlog.

#### COMMENTS ON H.R. 221

Turning to provisions included in H.R. 221, I would first like to thank Congressman Young for his strong support of hydrographic survey work in the United States. While NOAA, private sector hydrographic survey companies, and the many stakeholders who rely on current and accurate navigational charts, are

important to this discussion, it has been and continues to be Congress' role to determine levels of funding and to identify key priorities.

As noted in the June 2017 GAO Study, "Hydrographic Surveying—NOAA Needs Better Cost Data and a Strategy for Expanding Private Sector Involvement in Data Collection," NOAA has indicated that it is working to expand its use of private sector resources, but is constrained due to budget limitations and challenges with its own internal cost accounting. Congress provided direction to the agency in its 2009 amendments to the Act to increase the use of contract surveyors, and H.R. 221 will help to ensure that progress is made to achieve this goal.

In these challenging budget times, I understand that choices must be made and not all compelling national priorities can receive ideal levels of funding. However, I am here to make the case that Congress should consider increasing the authorizing levels to support accelerated work to eliminate the hydrographic charting backlog. Specifically, funding should include both higher levels for contract survey work, as well as more robust funding to allow NOAA's assets to continue to contribute to this mission. Section 2 of H.R. 221 does increase the baseline levels for contract survey work, which is very positive, and it is my recommendation that Congress do as much as possible in this area given budget constraints.

It should be mentioned that the NOAA Charting Backlog program, along with its industry partners and various R&D/innovation initiatives at UNH CCOM/JHC, have combined to be the leading technologies creators, developing multibeam echo sounder (MBES) technology and related applications and improvements that have ultimately been adopted and applied, and which have extensively benefited industry end users. Since the early 2000s a small sampling list of such applications includes TrueHeave™, MBES Snippets, and Geocoder. This small sampling of applications, integrated into various seabed mapping industries in the United States alone, directly benefits more than \$200 million of mapping services annually. So, the value of NOAA's hydrographic survey and charting backlog program extends beyond direct contracts for civil hydrography, but includes the application of the associated and jointly developed technologies and methodologies to private sector mapping applications at a value many times greater.

Section 2(b) of the Act addresses funding for Arctic charting activities. Earlier I referenced two incidents in U.S. Arctic waters that underscore the critical need for up-to-date navigation charts—near misses involving the M/V Fennica and the M/V Ebony Champion. In both cases vessels struck uncharted, or inaccurately surveyed, submerged features. With more and larger vessels expected to operate in the Arctic Ocean in the future, the risks are significant in this region, and I cannot emphasize strongly enough how important it is to continue to aggressively attack existing charting deficiencies to avoid a maritime casualty with potentially catastrophic environmental consequences. I believe it is safe to say that funds invested now to reduce these risks through better navigational charts will be far less than the cost of addressing a maritime casualty in the U.S. Arctic.

#### CONCLUSION

Once again I would like to thank the Committee for allowing me to provide this statement for the record and to give testimony on this matter. Improving the Nation's hydrographic charting capabilities and ensuring the safe navigation is a critical mission and Congress' attention to this issue will help advance the goal of eliminating risks to maritime activities. H.R. 221 supports the continuation of the partnership between NOAA and companies such as Fugro to reduce the cost of hydrographic charting and maximize the ability to survey priority areas and eliminate the charting backlog. I would be happy to answer any questions from the Committee on H.R. 221.

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Mr. LAMBORN. All right, thank you. Thank you all for being here and for your testimony.

At this point, we will begin our questions for witnesses. To allow all of our Members to participate, and to ensure we can hear from all of our witnesses today, under Committee Rule 3(d), Members are limited to 5 minutes for their questions. I will now recognize myself for 5 minutes.

Governor LePage, thank you for being here. On this Subcommittee, we are great supporters of our fishing communities

and working waterfronts. Coming from a state like Maine, I am sure you would also support preservation of working waterfronts, and I am sure that is an accurate statement, yes?

Governor LEPAGE. Yes, that is very much an accurate statement.

Mr. LAMBORN. Unfortunately, we have seen time and again that complex layers of Federal bureaucracy can result in government agencies undermining states, especially when it comes to resource management. I believe you had mentioned that Maine has a state-run initiative to preserve working waterfronts. Could you elaborate on that, and tell us what kind of support that has within the state of Maine?

Governor LEPAGE. Yes. Right now—in fact, in 2018—we have between \$2.5 and \$3 million that is going to be dedicated for the management of preservation of coastal waterfront.

The big issue in Maine—and I really urge you to give this some serious thought, because we are now doing a massive survey of our state. And what is happening with a lot of Federal programs that make money available for preservation and conservation, land is purchased and put into non-profits. We have 476 communities that are struggling to operate their community because of rising taxes. We have the ninth highest property taxes in the country. We have billions upon billions of valued property, particularly on the coast of Maine, that is non-taxable.

I urge you, whatever you do, if you provide money for funding—and, first of all, if you do anything, please provide the funding. Number two, I would ask you to put in the law that the land has to stay on the tax rolls. And three, I would strongly urge you to limit the number of agencies involved.

If you have NOAA, U.S. Fish and Wildlife, and the state of Maine, you have a tripod. And I am going to tell you it is very difficult, because one arm of the Federal Government does not necessarily discuss things with the second arm of the Federal Government, and then you come into state regulations, and they conflict among all of them. And it takes time and again.

And I will go back to what I said earlier about the Saco River. The levee was put in in the 1860s, under Abraham Lincoln. We have lost, I don't know, a couple of dozen homes, several streets. The city is going out to the ocean, and nobody is addressing it. And we still are awaiting the Army Corps to give us reports on and funding to remedy the problem. So, I just urge you very, very strongly to be cautious.

Mr. LAMBORN. All right, thank you for that. I know that many Federal programs are well intended, but there are unforeseen and unintended consequences.

Mr. Millar, I would like to ask you a question. You made reference to two ship collisions or strikes off of Alaska. Were both of these due to outdated or inaccurate navigational charts?

Mr. MILLAR. Yes, in both those instances, a vessel struck features that were not charted, or represented on the charts, which is a function of the vintage of the prior data, or the collection of the prior data.

Mr. LAMBORN. And would this have been avoided if NOAA had been able to fully address their hydrographic data backlog?

Mr. MILLAR. Yes, I would say so. The purpose of addressing the backlog is to try to use modern methods and technologies to update these charts, and doing so would have most certainly detected those hazards and obstructions.

Mr. LAMBORN. Would the passage of this bill, H.R. 221, help address that problem?

Mr. MILLAR. Yes. Very much so, I think. As I mentioned in my testimony, this program is very important. The NOAA private sector relationship is important. And increasing collectively funding for this mission is important.

Mr. LAMBORN. And besides safety, which we have already discussed—and thank goodness that vessel carrying fuel, what, 14 million gallons of fuel products, was not breached, and there was no spill—what other activities and industries are supported, besides just safety itself?

Mr. MILLAR. Yes, these surveys and these technologies actually can be used for other purposes beyond updating nautical charts. One example would be fisheries, so mapping of fisheries habitat for management and protection. It can also be used for oil and gas exploration purposes, so these methods and technologies are used to search for seabed seeps to help identify gas and oil reserves.

Mr. LAMBORN. OK, thank you. At the request of the Ranking Member, we are going to start with questions from Representative Bordallo of Guam for 5 minutes. And I will be giving the gavel to Representative Wittman of the great state of Virginia.

Ms. BORDALLO. Thank you very much, Chairman Lamborn and, of course, Ranking Member Huffman.

I have never had signage behind me in Congress, and I have been here for almost 15 years. So, I know it is beautiful. I have questions for Dr. Callender.

I want to thank you for your career of service, including now as the Assistant Administrator of NOAA. I hope you are aware of the great work that NOAA's staff are doing on Guam, including the community coral reef monitoring program. However, we can always use more agency resources and personnel to fulfill NOAA's responsibilities to Guam and, of course now, the very expansive Micronesian region.

My first question, Doctor, is I plan to reintroduce my bill authorizing the Coral Reef Conservation Act. My staff worked closely with NOAA on the reauthorization bill during the previous Congress, and I would very much appreciate the agency's continued assistance and expertise as I revamp my bill for this Congress.

Can you please commit that NOAA will provide timely feedback on the discussion draft, once ready, to address technical aspects of the bill? I just need a yes or a no.

Dr. CALLENDER. Yes.

Ms. BORDALLO. Thank you. My next question, my bill will provide additional congressional direction and dedicated funding for NOAA's coral reef program, including an authorization for the U.S. Coral Reef Task Force. Doctor, can you please speak to the National Ocean Service's work relating to healthy coral reefs and the challenges facing those ecosystems?

Dr. CALLENDER. Yes, absolutely. Currently, I am the Acting Co-Chair of the Coral Reef Task Force, so I have been engaged for over a year, although I have been a lifelong fan of coral reefs, if you will.

There are numerous threats facing coral reefs, including warming seas, ocean acidification, sea-level rise, land-based pollution impacting reefs, locally unsustainable fishing practices, the list goes on. These reefs are under threat. We do have a lot of interest looking at opportunities to restore reefs, focusing on coral intervention strategies. We are helping to support monitoring efforts.

And one of the key things is a partnership and dialogue with local leaders and experts. This is not all coming from Washington or my staff. We work very closely with all of the jurisdictions in this country that have coral reefs. I work with the All Islands Committee, for example, to ensure that we understand and are addressing local challenges to reefs, as well as larger global challenges.

Ms. BORDALLO. Thank you. My last question, many, including our Nation's marine laboratories, have concerns about continued access to taxpayer-funded science under this Administration, particularly the data sets that showed the consequences of warming global oceans. Can you outline the National Ocean Service's commitment to keeping agency science and data sets fully available to the public and archival permanently online?

Dr. CALLENDER. NOAA, across the board, is a science-based service organization. And we are committed to making our science and data fully available to the public, and archived permanently. There are numerous ways to get to the data: NOAA data catalog, the National Centers for Environmental Information, digital coast, partnerships with industry on big data; but the key is there are opportunities to get to those data, and those data are archived, permanently.

Ms. BORDALLO. Thank you very much for answering the questions, Doctor, and I appreciate the work you have done in Guam, and I hope you can continue—Guam and the other territories in the region.

Dr. CALLENDER. Thank you.

Ms. BORDALLO. I yield back.

Dr. WITTMAN [presiding]. Thank you, Ms. Bordallo. We will now go to Mr. Young.

Mr. YOUNG. I want to thank the panel for their testimony.

White Mountain, is that where you had those great elk?

Mr. VELASQUEZ. Yes, sir.

Mr. YOUNG. OK. I am a great elk observer. I want you to know that, keep that in mind.

Dr. Callender, the U.S. Arctic Exclusive Economic Zone is 550,000 square nautical miles. How much of the area has NOAA surveyed in the past 2 years?

Dr. CALLENDER. In the last 4 years, we have surveyed an average of about 500 square nautical miles in the Arctic Region.

Mr. YOUNG. Five hundred and fifty thousand. And how did you decide on the EE Zone that half is navigational significant and the other designated—only 38,000 square nautical miles has surveyed

priority areas—how did you reach that conclusion, when the rest of it is not considered? I mean what information did you have?

Dr. CALLENDER. Certainly, for working in the Arctic area we have developed a U.S. Arctic charting plan. And this plan was informed by an Anchorage charting workshop, Federal Register notice, opportunities for public comments, meeting with Federal, state, local, and government stakeholders, and that is what is informing our plans for developing approximately 11 new charts planned in the Arctic in the next 10 to 15 years.

Mr. YOUNG. All right. And because this is very important, with the transportation increasing up there in the oceans, I want to know how you figured out where you are going to map. And are you dealing with the AMO and the rest of them, the shipping companies or anything that they want mapped?

Dr. CALLENDER. Yes, absolutely. What we do is we do engage with shipping companies. We engage in conversations with port authorities, we engage in conversations at the state level to understand the needs.

Mr. YOUNG. OK. I am going to ask you another question, are the NOAA ships doing this work, and how much has been done by NOAA and how much has been done by private contractors?

Dr. CALLENDER. In the last fiscal year, roughly 40 percent of our charting activities were done by the contract fleet.

Mr. YOUNG. Curiosity. What is the difference between using a NOAA ship and private, as far as costs go?

Dr. CALLENDER. You would think that would be a very simple answer, and I have struggled with this one myself—that was the whole point of the GAO study. We have received this report from GAO, and one of the challenges that they identified that we are currently working to better understand is how do we depreciate the capital assets that we have in the Federal fleet, how do we look at service life extensions, how do we look at recapitalization costs.

It is sort of an apples-and-oranges comparison to the contract fleet. We are working very diligently to address that study, and working to better look at the methodology identified by GAO and compare that to our own methods.

So, I don't have a great answer for what those costs are, except we are trying very diligently to sort that out.

Mr. YOUNG. The chances of you getting more ships is another question, because I do believe this has to be mapped. I am encouraging you to look at, and if we can get the money to you, to contract as much as you can, as long as they do a significant job.

That is something very important. I don't think we can keep delaying this, because we are going to have countries, China, primarily, Russia, a lot of ships that if we don't have properly mapped could potentially be very dangerous to the state of Alaska, and that is really what I am concerned about.

The report, by the way, was that an updated report, or is that a different report?

Dr. CALLENDER. This came out in the summer, I think it was June of this year.

Mr. YOUNG. Is it current? I had a little bird in my ear tell me that it really does not apply. I don't know what they meant by that.

Dr. CALLENDER. I am not sure what they meant by that, either. The GAO report does look at and charge NOAA with looking at the costs of the Federal fleet versus the contract fleet.

Mr. YOUNG. Again, Governor, thank you for your comments. You know, I am willing to work—I am like you, I don't really like the Federal Government coming in and interfering with the state. I have seen that happen. We are one of the few states—I don't believe we have a Coastal Management Zone agreement for that one reason. It starts getting double-layered, and it is not good. So, thank you for being here.

Thank all of you. I yield back.

Governor LEPAGE. My pleasure.

Dr. WITTMAN. I thank Mr. Young. We will now go to Mr. Huffman.

Mr. HUFFMAN. Thank you, Mr. Chairman.

Governor LePage, welcome back. I think we may disagree on the merits of Ms. Pingree's bill, and certainly I think we disagree on whether private property owners who want to donate land to help create national monuments should be allowed to do so. But I am always looking for common ground, and I think I have found one thing that you and I can agree on.

In May of this year, you wrote a letter to Commerce Secretary Ross, urging him to redistribute any permits forfeited by disgraced pirate fishing tycoon Carlos Rafael. And rather than allow those permits to be held or purchased by Rafael's family or associates, you said they should be distributed broadly. And I agree with you on that.

Since that time, Mr. Rafael has been sentenced to 46 months in prison for violations of the Lacey Act. But the fate of his vessels, permits, and quota remains unclear. And also, NOAA has still not exercised its authority under the Magnuson Act to seize vessels, sanction permits, or impose civil penalties.

So, like New England, I have a district that includes a ground fish fishery that has struggled in the past. And I know that if this situation occurred in our fishery, my constituents and I would be just as outraged as you and a lot of Mainers are by this Codfather situation.

It seems to me that Mr. Rafael's criminal empire has contributed to the decline of working waterfronts throughout the region, so I want to ask you a few questions.

First, do you think that fishermen and fishing communities across New England have been harmed by these crimes?

Governor LEPAGE. Yes, absolutely.

Mr. HUFFMAN. Do you believe that Mr. Rafael's assets should be sold to one company, as has been reported in the media, or broken up to prevent his crimes repeating because another too-big-to-fail fishing conglomerate acquired these assets?

Governor LEPAGE. I absolutely believe it should be broken up.

Mr. HUFFMAN. And do you think that excessive consolidation and vertical integration of Mr. Rafael's fishing business contributed to his ability to get away with these crimes for so long?

Governor LEPAGE. No, I just think it was a lack of character.

Mr. HUFFMAN. OK. Well, we have a lot of agreement on this, Governor, so I appreciate your answers to these questions.



Mr. Snyder, I wanted to ask you a little more about the history and culture that are tied to the coast and to the industries that started many of our coastal cities. Can you explain to us, when we talk about these working waterfronts, the cultural and historic importance of preserving these resources, and how that provides social benefits beyond just economic development?

And, I am sorry, Dr. Snyder.

Dr. SNYDER. One of the things that drove the creation of the programming in Maine was really a look at the equity issues around how forestry and farming were treated relative to fishing.

All three are on our flag, and all three were not treated equally in the state, in terms of how we would work to make sure that working people could continue to have access to land—frankly, land that is increasingly valuable and, as Representative Pingree noted, where taxation and other, basically, the fact that commercial tax—I will just say this really quickly. If they were being taxed at their highest and best use, they were no longer able to afford to keep their property, which is the way the state laws had been written.

So, we needed to come up with a way to categorize working waterfronts, where they could be taxed at their commercial value, rather than at their highest and best use. And that fundamental shift in the way the legislation was written was really important in the state of Maine. It allows those properties to continue to be taxed, and for the state and the communities to benefit from that commercial activity, but it does so in a way that is more aligned with the intended use of the property.

And frankly, when you talk about the cultural value, not only is it on our flag, it is absolutely an important way that New England identifies itself. I mean we tell stories to ourselves all the time in the news, and the fact that there is somebody who could be identified as the Codfather, in fact, ties directly to this image we have of ourself as a region, as a place of fishing, a place of frontiers, a place where rural people go out to sea to make their livelihood.

And I feel like that drives a lot of the discussions about who we are and who we are becoming, right? Every time a community like yours or ours thinks about making a change on the waterfront, they are really struggling between the kind of sense of continuity that is so important to every one of these communities tied to the natural resource base, whether it is groundfishing, lobstering, aquaculture, some future uses that we cannot see yet, and kind of who we want to be and what we want to have available to our families so we can enjoy our lives in these places.

Mr. HUFFMAN. Thank you, Doctor. I yield the balance.

Dr. WITTMAN. Thank you, Mr. Huffman. And we will now go to Mr. Gosar.

Dr. GOSAR. I thank the Chairman.

I want to thank you, Vice Chairman Velasquez, for making the long trip from Arizona and for your testimony. And please forward on to Chairman Lupe our best regards.

The White Mountain Apache Tribe's water rights settlement of 2010 was good for the tribe, Arizona, and the United States. It is clear in your testimony that the rural water system is important to the tribe. But there are other stakeholders, as well, that have benefits, like SRP in the city of Phoenix, right?

Mr. VELASQUEZ. Yes, sir.

Dr. GOSAR. Now, as you stated, Senate Bill 140 makes a technical correction to an existing water right settlement to clarify the congressional intent of the settlement. I want to thank the Chairman and the Vice Chairman for bringing up this important legislation to help provide certainty to the tribe and to my state.

I would also like to enter into the record two letters, one from SRP and one from the Arizona Department of Water Resources for the record in support.

Governor LePage, I first want to thank you for coming down to DC, and giving a true state perspective. It is something that is badly needed around this place.

Second, also, in contradiction to the Ranking Member, I want to apologize that you experienced some of the anguish that many of my constituents have felt. Of course, I am referring to the Obama administration's behind-closed-door tactics that resulted in the designation of the national monument in northern Maine, a monument that was designated against the wishes of yourself and many of your constituents.

H.R. 1176 could result in your Maine constituents once again feeling the pain like Western Americans. As you have seen firsthand in western water policy, when you have the Department of the Interior and the Department of Commerce overlap, it generally results in agencies going in completely different directions. Just ask our California colleagues. I think we are more likely to see a unicorn walk through the hearing room doors right now than we are to see these two agencies to be on the same page.

Fortunately, the Trump administration has put a lot of focus on streamlining the Federal actions and eliminating duplications. Do you think this bill supports the Administration's policies? Or does this bill take us backwards?

Governor LePAGE. I believe it takes us backwards from the standpoint of too many Federal agencies involved and the right hand not knowing what the left hand is doing. Like state government, the Federal Government is in silos. And, unfortunately, not all the agencies work together, or have the same agenda on what they are trying to accomplish, based on the laws that are passed by Congress.

So, if this moves forward, I urge you to have it under one, and I would prefer to see it under Commerce, because we are talking about working waterfronts. I think it is very important.

I would also say this. According to the recent EDA report, there are currently 80 Federal funding mechanisms for working waterfront properties in this country.

Dr. GOSAR. Well, I am glad you brought that up, because that is exactly where I am going to.

What we did is we pulled this up off of the website for Mr. Snyder. There are two types of available grants. There are the coastal communities grants and shore and harbor management grants.

Shore and harbor planning grants will be awarded to projects that promote sound waterfront planning and harbor management, balanced development of shore and harbor areas, advanced planning for waterfront infrastructure improvements, and access to

shore. And finally, created in 1978, the Maine Coastal Program is a Federal, state, local partnership under the Coastal Zone Management Act.

It seems to me that the Maine coastal programs that are highlighted here achieve many of the goals proposed under this legislation. Would you agree?

Governor LEPAGE. Yes, absolutely.

Dr. GOSAR. I think the Administration would agree with you, as well, according to their testimony: "Under the Coastal Zone Management Act, coastal states have discretion to use funding to address the needs of working waterfronts." This admission, coupled with the successful state programs like Maine's would indicate that this bill unnecessarily heaps Federal bureaucracy on to states.

I stand ready to work with the states in a transparent fashion to allow them to better and more freely manage their resources. But I do not think a top-down management approach is quite the answer. The Federal Government does not know all.

And, with that, I will yield back.

Oh, I have one more letter to enter into the record from the city of Phoenix for Senate Bill 140.

Dr. WITTMAN. Very good. With no objection, so ordered on entering the letters that you presented into the record.

Thank you, Mr. Gosar.

Now, we will go to Mr. Beyer.

Mr. BEYER. Thank you, Mr. Chairman, and thank all of you for being with us this morning.

I want to just quickly respond and add an addendum to my friend Mr. Gosar from Arizona's comments on the Maine monument, and just point out that the Katahdin Woods and Waters was privately purchased in a free-market economy with money earned from a private enterprise, and it was given to the American people in perpetuity, and that Obama's simple recognition was an acceptance of this gift to the American people. And whether it was a monument or not, it was given to us in perpetuity, and was going to be land open to the American people.

Dr. CALLENDER, recent studies show that in the Arctic multi-year sea ice continues to disappear at a very rapid rate, and may soon become entirely ice-free. We read about the Northwest Passage year after year. These are drastic environmental changes, and they can have similarly large consequences for national security, research, navigation, commerce, safety, hydrographic and mapping data needs.

With all these forthcoming challenges, can you elaborate on current and future priorities, and the need for these hydrographic surveys and mapping in the Arctic, stuff that we largely have not been able to map or see before now?

Dr. CALLENDER. I think you have stated the problem incredibly well. With the waterways opening up, with ice-free periods and seasons becoming longer and longer, we are going to see more commerce in the Arctic. We are going to see more activity in the Arctic. This is clearly an issue not only for commerce, but for national security and for energy exploration.

How do we keep these ships and the people on them safe? How do we ensure that there is little risk of spills of oil or other toxic

contaminants? We need these charts. Clearly, the progress that we are making is slow, but we are doing everything we can with the resources that we have to do that work. The fact that we have a strong partnership with the private sector on the contracting side, I think, is going to accelerate the opportunities and the ability to chart that region. But we need to keep moving as fast as we can to continue that work.

Mr. BEYER. Thank you very much.

Mr. Snyder, I am really interested in hearing more about your many years with working waterfronts, and specifically examples from Maine or other places. Can you elaborate on the importance of working waterfronts to diversifying coastal economies and strengthening communities?

Dr. SNYDER. Sure, thank you for the question. I think people tend to think about the edge of the land as kind of the end of the earth in some ways, where you don't end up thinking about it as the beginning of this entire access to an economy, where people are bringing their fish ashore, but that is not where it ends. It ends when, as we heard earlier, there are restaurants that take advantage of the landed product, there are different ways that people have found to add value to products.

I was actually visiting with somebody the other day in Maine, Oceans Organic, who takes the seaweed and they do chemically refined fertilizers that they sell to the NFL to produce better fields. And, there are these ways that products that people are harvesting off the coast of Maine are actually showing up in the world in really surprising, value-added ways that nobody could have imagined, years ago.

So, this idea that if you put the effort into making sure that people will always be able to cross that divide between land and sea, will always be able to bring those products ashore, whether it is kelp for future energy needs, or whether it is shellfish that is going to restaurants, or whether it is some other biotech product that is going to be developed as a result of the seafood that is gathered off our coast, or the fish that are gathered off our coast, we are going to find ways to continually evolve our economy, as a result of having done the work we need to to ensure that access point.

One of the challenges to all of this is that those access points are often shared. They are not individually owned. It is not one business. It is ultimately many businesses that rely on both the water side and on the land side.

So, if we want to look at the processing facilities, or the trucking companies, or the different ways that these businesses show up in our communities because their kids participate in our schools, they spend their money in our stores, all of the ways that fishermen and the broader network of that economy participates has a great deal to do with the fact that a place like Rockland is not just about fishing any more, it is about art, it is about recreation. It is about all those things because people are attracted there because it has a vibrant working waterfront.

And that vibrant working waterfront bleeds out into an incredibly interesting and diverse economy that supports a range of livelihoods, some of which are still tied to the sea, and many of which are not.

Mr. BEYER. That is a wonderful answer. Thank you very much. I just read a study last week on happiness. They said that people who live by water are much happier than people that do not.

Dr. SNYDER. Well, I think you are right.

[Laughter.]

Mr. BEYER. Mr. Chairman, I yield back.

Dr. WITTMAN. Thank you, Mr. Beyer. We will now go to Mr. Hice.

Dr. HICE. Thank you, Mr. Chairman. And I think you are right, as well. We live on water, and it just cannot get any better than that.

Let me just get straight to—I have one primary question, and then, Mr. Chairman, I would be happy to yield to you if I have some time left over.

Governor, let me ask you this. As you know, Georgia has been part of the Coastal Zone Management Program since 1998. And this was originally designed to be a state-driven voluntary program to provide states assistance in managing their own coastal areas without a lot of government interference, or at least less.

And I am sure you and I both agree that working waterfronts are very important. But do you think this system that we are discussing today is in the best interest of our Nation's coastal resources?

Governor LEPAGE. No, and I will tell you why for two reasons.

Number one, most Federal programs are good-intentioned, and this particular program is just an add-on to the 80 Federal financing programs that are available to working waterfronts.

The issue is this, as a governor, when you have multiple Federal agencies involved in managing or oversight over a state, as I said earlier, the right hand does not know what the left hand is doing, and so there is conflict in regulations between the Federal agencies and there is conflict between the states. And then time elapses before anything can get done.

Earlier, we were talking about working waterfronts. I would also say that working forests for Maine are very, very important. And you know, people seem to suggest that I am against the national monument, but I would say this. If you look at the reality of life, and reality of what is happening in our state, in 1947 Acadia National Park burnt flat. Seventy-five percent of major forest fires in this Nation occur on Federal lands.

The monument we talk about in Maine backs to the state park, which is a jewel of the state that we received from a governor back in 1937. That is my objection with the government owning right next to us, because their backlog right now on managing properties is \$11.3 billion—I will repeat, \$11.3 billion in maintaining and managing the public lands efficiently and effectively.

If they partner with the state, and the state has a major role to play, then I think governing at the local level is much better than governing from Washington.

Dr. HICE. Thank you for that answer.

Mr. Chairman, I will yield the remainder of my time to you.

Dr. WITTMAN. Thank you, Mr. Hice. And I want to thank all of our witnesses for joining us today.

Governor, I appreciate your frustration with different levels of Federal Government. In fact, I experienced some of the same. But

I do want to thank Representative Pingree for putting forth this bill. I do think that there are opportunities here for us to cut through some of that, and make sure that there is some ability for us to work together with the various Federal agencies, maybe even focus down to a single one, and to get some of these things done.

I just held a town hall in a working waterfronts area in my district last week, and had over 300 people show up. They were livid because we had the Coast Guard come in to a channel there that is used by our watermen, and they started taking out aids to navigation because there was an area there that was not dredged to their satisfaction. So, rather than talking to folks, they came in.

We were able to stop it midstream. I think there are some things that we can do, working with the locality, to put some private aids to navigation in. But again, that is another situation where the Corps of Engineers in charge of the dredging, the U.S. Coast Guard, the county, the state, the Marine Resources Patrol, all those folks have to be talking to each other instead of going in and saying, "Well, in our little silo we have a responsibility for safety of navigation," and we are going to make that judgment, instead of saying, "Well, if you did this little bit here, you could actually take out this part of the channel, and actually open this up so we didn't have to spend all this money to take it out." So, listen, I fully understand that.

There is also another part of this realm that all of us, I believe, have to work on. My son is a commercial fisherman. He is in my ear every day about the things that he has to deal with. He crabs, he oysters, he gillnets, he pound nets, he does it all because he cannot make a living in any one particular area. And he gets frustrated.

He lives in a particular area, stored his crab pots there and other things, and was told by the county he could not store them there, so now he has relegated to say, "Well, where do I go?" He has to go to the water in order to be able to do that, and then he is saying, "Dad, look at what I have to go through in order to purchase that piece of property." So, highest and best use there, and making sure, too, that there is a balance in our waterfront communities.

Listen, I am all for folks having a home on the water. We heard everybody here about that nice frame of mind that comes with living there. But I would argue, too—and I think you would agree with me—that the value of our waterfront communities is not just in the residential side, but it is also in the connection to the commercial fishing side that makes those communities desirable for people to move to. So, I think our effort there is to try to find ways for us to be able to accomplish that.

With that, I want to make sure that we all understand the things that we can do together. And, Mr. Callender, I appreciate your perspective there on what we can do at the Federal level, and look forward to working with everybody through this.

I will now yield to Ms. Pingree for her questions.

Ms. PINGREE. Thank you, Mr. Chair, and thank you for being a participant in this. I think all kinds of wonderful questions have already been asked. And I too want to thank the panelists.

Governor, you and I don't agree on every single part of this, but I think it is a real testimony to your belief in the importance of

working waterfronts that you took a day out of your busy week in a challenging week in the state of Maine to be here with all of us.

And a thank-you to Dr. Snyder for the work the Island Institute has been doing, and Dr. Callender for giving us a little perspective.

There are a lot of things that have been brought up here that I think are really an important part of the discussion. You submit a bill and you work on it to the best of your ability, and then you hope the Committee will, in its wisdom, figure out what is a good balance.

I think many of the things that have been brought up today are completely reasonable, particularly around making sure there is literally just one agency. I think that is a very good point, and I appreciate you bringing it up.

This is not in the bill, but I also wanted to say I really appreciate when the Governor reminded all of us that it is nice to have the language, but it is really good to have the funding, because there is nothing worse in a state than an unfunded mandate. And as a former state legislator, I sympathize with all the issues you have to deal with.

And while there may be many more programs—I have never seen the list of 80, but I appreciate that perspective. I have never seen them all, but 80 funding streams, I think if there were, we would try to take advantage of them and certainly look at that.

So, I guess my question to all of you would really be, in terms of coastal zone management, sea grant—Dr. Callender, you probably have some experience with this, and Rob Snyder, but also, if you want to weigh in, Governor, certainly do—but just in focusing this down, the idea of better planning, a little more coordination. Frankly, I think Maine is a real testimony to how much has been done, the funding that has been available, the working waterfront money that has been there. But I think anybody who works on the waterfront would say, “Boy, we would like to have more resources because, as land gets more valuable and more gets taken off the tax rolls, this is increasingly important.”

In your perspectives, and maybe particularly Dr. Callender, since you work with this, how can we best use coastal zone management, the sea grant programs, and see this as an enhancement, as you kind of recommended?

Dr. CALLENDER. Sure, I will take a stab at that. I think part of the value of both the Coastal Zone Management Act and its program is the establishment of broad coastal management policies. But then, we work with the states. It is a Federal-state partnership, and partnership is the key word here. Work with the states to help them tailor programs to meet their needs, to meet local needs.

One of the things that we can provide on the Federal side is data, tools, technical assistance, and support, funding when we have the appropriations to do so. But the key here really is talking to folks on the ground.

A hallmark of the sea grant program is research, it is advisory services, it is education. The advisory services are basically boots on the ground that can work with local communities, understand their needs, and help them meet those needs. I think there is room, as the Chairman mentioned, for compromise, and that dialogue

back and forth. And I think that is the hallmark of both of these kinds of programs, and it is certainly the intent.

Dr. SNYDER. I think one of the remarkable learnings that I had in the early years of trying to design this programming was how important it was to have state agency representatives, private industry representatives, and the non-profit sector working together to solve this problem at the state level.

We were designing a state program very much with everyone at the table. And I feel like one of the interesting opportunities with a very targeted source of funding like this is to design it in a way that it actually catalyzes a very specific kind of discussion about how to create—it is actually quite a bit of work to get one of these wharfs preserved, right? It took a lot of work from sea grants, law offices, and advisors from all over the country to help us figure out how to make it so that you could actually accomplish with a working waterfront what you could with forestry and farming. And I just—

Ms. PINGREE. Could I just give the Governor the last 30 seconds? You can have the last word, because I am quite sure Dr. Snyder and I will keep working on this.

Dr. SNYDER. Yes.

Governor LEPAGE. I would just like to leave you with this thought. Back when the Federal Government closed a few years ago—we have Federal lands in Maine, and within the Federal lands is a state park which has a commercial fishing dock. And we have an agreement with the Federal Government to manage those Federal lands plus the park. But when the Obama administration shut down, they closed the park and closed the dock. I thought that was really bad. And what I did was I reopened it, at the dismay of the President, and sent the fishermen working.

Be cautious of some of the things you do. If there is going to be a partnership—and I do agree with everything about partnership—very, very, very important. But the partnerships have to go both ways.

Ms. PINGREE. And we remember that time when the fishing dock had to be reopened, and I know the fishermen were very happy for that. I remember the Republicans shutting down the government, not the President. But those are just one of those things we see differently.

Governor LEPAGE. Well, he shut down the park, because he notified me that people could not go in, and the buck stops at the big guy.

Ms. PINGREE. It is true, it was his responsibility. Again, thank you for being here. Thank you for giving me a chance to engage in the conversation.

Dr. WITTMAN. Absolutely, Ms. Pingree, thank you.

I want to thank all of our witnesses: Governor LePage, Mr. Velasquez, Dr. Callender, Dr. Snyder, and Mr. Millar. Thank you all so much for spending your time here today. I think this was a really constructive conversation to find out what we can do to help these communities. I think we all have the same end in mind, and that is to make sure we get where we need to be, and do that in ways that respect and honor the sovereignty of local and state



governments, and make sure we don't make things too complicated at the Federal level. I really appreciate that.

Again, I would like to thank you today for your valuable testimony. Members of the Subcommittee may have additional questions for the witnesses, and we would ask that you respond to those in writing if you receive those questions.

Under Committee Rule 3(o), members of the Committee must submit questions to the Clerk within 3 business days following the hearing, and the hearing record will be held open for 10 business days for these responses.

If there is no further business to come before the Committee, without objection the Subcommittee stands adjourned.

[Whereupon, at 12:07 p.m., the Subcommittee was adjourned.]

[LIST OF DOCUMENTS SUBMITTED FOR THE RECORD RETAINED IN THE COMMITTEE'S OFFICIAL FILES]

#### **Rep. Gosar Submissions**

- Letter addressed to Chairman Lamborn and Ranking Member Huffman from Thomas Buschatzke, Director of the Arizona Department of Water Resources in support of S. 140. Dated October 30, 2017.
- Letter addressed to Chairman Lamborn and Ranking Member Huffman from David C. Roberts of the Salt River Project in support of S. 140. Dated October 30, 2017.

#### **Rep. Grijalva Submissions**

- Press Release on H.R. 1176 from the Marine Fish Conservation Network ([www.conservefish.org](http://www.conservefish.org)) titled, "Network Applauds Congress' Support for America's Working Waterfronts." Dated November 2, 2017.
- Letter addressed to Chairman Lamborn and Ranking Member Huffman from Robert B. Rheault, Executive Director of the East Coast Shellfish Growers Association in support of H.R. 1176. Dated October 31, 2017.
- Letter addressed to Chairman Lamborn from the owners of Millers' Wharf in support of H.R. 1176. Dated November 2, 2017.
- Letter from Nicole Faghin and Jack Wiggin, Co-Chairs of the National Working Waterfronts Network in support of H.R. 1176. Dated November 1, 2017.
- Letter addressed to Chairman Lamborn from Jon P. Jennings, City Manager, Executive Department of Portland, Maine in support of H.R. 1176. Dated November 1, 2017.