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HEARING ON
LEGISLATION REGARDING COASTAL RESILIENCE

BEFORE THE
COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON WATER, OCEANS, AND WILDLIFE
U.S. HOUSE OF REPRESENTATIVES

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Chairman Huffman, Ranking Member McClintock, and Members of the Subcommittee, thank you for the opportunity to testify today regarding several ocean resilience bills.

The Trump Administration is expanding jobs and the well-being of coastal communities through the National Oceanic and Atmospheric Administration's (NOAA) Blue Economy initiatives. We are providing better and more timely information to mariners through precision navigation; increasing the economic competitiveness of our nation's hard-working fishermen through regulatory streamlining and cracking down on illegal, unreported, and unregulated (IUU) fishing, while analyzing the challenging issues surrounding marine aquaculture permitting; expanding ecotourism and recreation at national marine sanctuaries; and exploring the vast resources of our exclusive economic zone (EEZ) through NOAA's ocean exploration program. For example, working with the State of Maryland, earlier this month we designated the first national marine sanctuary in nearly 20 years at Mallows Bay. I have personally paddled around the 100 shipwrecks of World War I era vessels. I am excited about what we have accomplished so far and look forward to more achievements.

NOAA appreciates the Subcommittee's attention to ocean and coastal issues I will outline how each of the bills could affect NOAA.

Coastal communities, including Tribal communities, face increasing challenges due to changing economic and environmental conditions. Our Nation's coastal zone is vital to the well-being of

our country. It is home to roughly half of the Nation’s population, supports ecologically important habitats and natural resources, and is essential to our economic vitality. According to the NOAA Report on the U.S. Oceans and Great Lakes Economy, our ocean and Great Lakes economy employed 2.9 million people – more employees than telecommunications, agriculture, and building construction combined.

[H.R.3115 - Living Shorelines Act](#) (Pallone)

The Living Shorelines Act of 2019 would create a new grant program to assist State and local governments and nongovernmental organizations in developing shoreline systems known as “living shorelines.” Living shorelines can sometimes replace hard infrastructure as equivalent protection against storm surge and other coastal hazards, while offering greater environmental benefits. The Act authorizes up to \$50 million per year for five years to provide grants for living shorelines.

NOAA also notes that the agency currently provides financial and technical assistance to coastal communities for the use of living shorelines through existing programs. The National Coastal Resilience Fund is a partnership between NOAA and the National Fish and Wildlife Foundation that funds projects that protect coastal communities while enhancing fish and wildlife habitat, including living shorelines projects. Additionally, NOAA’s Community-based Habitat Restoration Program provides funds for the use of living shoreline and related techniques for marine and coastal habitat restoration.

Where the technical aspects of the project support their use, NOAA encourages the use of living shorelines as a shoreline stabilization technique because they reduce erosion, provide habitat for coastal species, improve water quality, mitigate flooding, and attenuate storm surge. Living shorelines not only have the potential to augment coastal communities’ resilience to coastal hazards by protecting lives and property, but in some ecosystems, they contribute to coastal economic growth and a strong Blue Economy. In particular, designing and building shoreline stabilization systems maintains the habitat that benefits fishing and coastal tourism.

[H.R.2185 - District of Columbia Flood Prevention Act](#) (Holmes Norton)

The Administration proposes to terminate Federal funding for this grant program. This bill would add the District of Columbia (District) to the definition of coastal state in the CZMA and would make the District the 36th coastal state eligible to develop a coastal management program. NOAA needs additional time to review this bill, but provides the following comments. As with other coastal states, the District would have access to technical assistance and financial resources available from NOAA through the national Coastal Zone Management Program.

Section 305 of the CZMA authorizes funds for states to develop a Coastal Management Program. Unless Congress appropriates funds under Section 305, NOAA’s support to the District to

develop its coastal management program would be limited to providing technical assistance. Once NOAA approved a District coastal management program, NOAA would allocate appropriated CZMA Section 306 administration funds to the District under NOAA's allocation formula.

[H.R.729 - Tribal Coastal Resiliency Act](#) (Kilmer)

As mentioned earlier, the Administration proposes to terminate Federal funding for this program. This bill would amend the CZMA to authorize grants to Indian Tribes to further Tribal coastal zone objectives.

The bill would authorize \$5 million for Tribal projects for each fiscal year under a new section 320 of the CZMA.

NOAA notes that the bill would connect Tribal awards to CZMA section 306A, but is concerned with one of the Tribal coastal zone objectives in H.R. 729, regarding "any coastal or shoreline stabilization measure, including any mitigation measure, for the purpose of public safety, public access, or cultural or historical preservation." Shoreline stabilization structures are capital-intensive and in some cases adversely affect nearby beaches, dunes, and other coastal resources.

[H.R.3596 - Keep America's Waterfronts Working Act](#) (Pingree)

H.R. 3596, *Keep America's Waterfronts Working Act*, would amend the CZMA to establish a working waterfront task force, grant program, and preservation loan fund program to promote water-dependent commercial activities and access in coastal communities. NOAA recognizes the economic, cultural, and historic value that working waterfronts provide to coastal communities across the nation.

Under the CZMA, coastal states have the discretion to use funding for many of the purposes that would be addressed by the Working Waterfronts Grant Program proposed in H.R. 3596. Many states use funds to redevelop, preserve, and promote public access to working waterfronts. States may use grants authorized under CZMA Section 306 to support local waterfront planning, as well as public access through the low-cost construction of boardwalks, boat ramps, and public fishing piers. Additionally, enhancement funds authorized under Section 309 may provide support for waterfront Special Area Management Plans, which share many of the goals of H.R. 3596 to promote coastal-dependent economic growth.

NOAA has concerns with this bill and believes such a dedicated economic development program is outside its core mission area. Based on NOAA's experience with previous loan programs, securing repayment of the loans such as those proposed through the Working Waterfronts Preservation Loan Fund, can be challenging. The Coastal Energy Impact Program (CEIP) was a loan and grant program authorized under the CZMA to help states and communities impacted by

energy production. Despite NOAA's continued efforts to recover funds, five loans are still outstanding. The proposed repayment term of twenty years and the potential for turnover in the ownership of working waterfront properties may preclude the timely repayment of loans.

[H.R.3541 - Coastal State Climate Preparedness Act](#) (Carbajal)

As mentioned earlier, the Administration proposes to terminate Federal funding for the CZMA. This bill would amend the CZMA to allow states to voluntarily develop and implement coastal climate change adaptation preparedness and response plans. NOAA supports resilient coastal communities and recognizes the CZMA is a viable conduit for states to prepare for and reduce the negative consequences that have been and will continue to occur as a result of rising sea levels, storms and other events. However, under the CZMA, coastal states already have discretion to use funding to develop and implement adaptation plans. For example, California used Section 309 CZMA enhancement funds to develop the Adapting to Rising Tides (ART) program, which focused on sea level rise planning in the San Francisco Bay area and identified strategies for community-based adaptation planning and implementation. ART is now a model for other communities around San Francisco Bay and in California, providing methodologies that can be tailored for communities' adaptation planning processes. NOAA does not object to passage of this bill.

[H.R.335 - South Florida Clean Coastal Waters Act](#) (Mast)

H.R. 335 requires the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia (colloquially referred to as the Interagency Working Group on the Harmful Algal Bloom and Hypoxia Research Control Act or IWG-HABHRCA) to develop an integrated assessment and a separate action plan with the collective goal of reducing, mitigating, and controlling harmful algal blooms (HABs) and hypoxia in South Florida. These reports are due within 1.5 and 2 years, respectively, of the bill's enactment.

The IWG-HABHRCA coordinates and convenes Federal agencies and their stakeholders to research and address HAB and hypoxia events in the United States. It is charged with producing scientific assessments on HABs and hypoxia throughout the United States, consistent with many of the integrated assessment activities that are stipulated in the South Florida Clean Coastal Waters Act. We would appreciate clarification as to whether the legislation would duplicate existing efforts under the IWG-HABHRCA. We also recommend combining reports and providing additional time to produce a high-caliber interagency product. We look forward to continuing to work with this committee on this bill.

Thank you again for the invitation to join you today, and I look forward to answering any questions.