

**TESTIMONY OF  
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**LEGISLATIVE HEARING BEFORE THE  
SUBCOMMITTEE ON WATER, POWER, AND OCEANS  
COMMITTEE ON NATURAL RESOURCES  
U.S. HOUSE OF REPRESENTATIVES**

**November 2, 2017**

**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 responsible 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

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<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."

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 five 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 five 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 five 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.