

OPENING STATEMENT
The Honorable Andy Harris (R-MD), Chairman
Subcommittee on Energy and the Environment
Markup

H.R. 2484, Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011

July 14, 2011

Harmful algal blooms affect nearly every State in the U.S., and the complexity in understanding and responding to these events has eclipsed our current research and response structure. In my District, algal blooms and dead zones are an ongoing challenge in the Chesapeake Bay, negatively impacting the commercial fishing industry, tourism, and numerous Bay-related recreational activities. There is a growing need for collaboration between Federal agencies and between the Federal government and States and localities to address this important environmental issue.

As part of an effort to address this need, we are marking up H.R. 2484, the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2011. This legislation is based on the discussion draft that was the subject of a subcommittee hearing at the beginning of June. The changes from the discussion draft to this morning's bill reflect comments received during the hearing and through discussions with the Agencies and other relevant stakeholders in the intervening weeks.

H.R. 2484 reauthorizes the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998. The bill reconstitutes the inter-agency Task Force already in statute and requires budget development and coordination for the activities enumerated in the bill. This will raise the visibility of the research programs within the agency members of the Task Force.

There are a number of research programs related to harmful algal blooms and hypoxia already in existence, authorized by several existing laws. However, in order to administer these programs, an umbrella structure has evolved to manage the disparate activities. H.R. 2484 is supportive of this umbrella Program and directs the Task Force to maintain it, and instructs the Under Secretary of Commerce for Oceans and Atmosphere – who is also the Administrator of NOAA – to carry out a series of activities, through the Program. The Under Secretary is also required to work cooperatively with other offices, centers, and programs within NOAA, as well as with States, tribes, nongovernmental organizations and other members of the Task Force to avoid duplication of efforts.

As we heard at the hearing, there is a need for technologies to deal with harmful algal bloom or HAB outbreaks in addition to looking for solutions to prevent or minimize them in the first place. Accordingly, H.R. 2484 directs the Under Secretary and the Administrator of the EPA to maintain a focus on technology research and development for freshwater and marine harmful algal blooms and hypoxia. It also requires the development of protocols to determine when technologies are ready to move from lab testing to field testing, to coordinate local, State and Federal authorities to facilitate field testing, and work with local and State entities to conduct outreach and education about the field testing.

Another thing we learned from our hearing is that people who are seeking assistance when they have a HABs problem have had serious difficulties in finding useful and relevant information. H.R. 2484 instructs the Under Secretary and the Administrator to maintain an electronic information clearinghouse to aid with the dissemination of information about freshwater and marine harmful algal blooms and hypoxia. Also, it requires the Under Secretary and the Administrator to develop a mechanism to ensure quality and cost-effective toxin standards for comparative research.

The bill directs the Under Secretary to oversee the development of a comprehensive research plan and action strategy and identify the appropriate regions to be highlighted by such a Plan. The action strategy outlines the specific activities to be carried out by the Program, a timeline for such activities, and the programmatic roles of each Federal agency on the Task Force. The research plan must also identify research, activities and technologies needed to detect, predict, monitor, prevent, control and mitigate harmful algal blooms and hypoxia. The Committee print discussed in June contained an additional 10 reports. I believe that this single, comprehensive approach is simpler and more efficient. Furthermore, with each report estimated to cost approximately \$300,000, eliminating \$3 million worth of reporting requirements frees up significant resources for additional research and response activities.

Additionally, H.R. 2484 directs the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force to update the assessment required under current statute and subsequently update the Gulf Hypoxia Action Plan 2008. The updated assessment is to include information about the topographical, hydrodynamic, and biogeochemical characteristics of the Gulf of Mexico. The updated action plan must take into account the new information and look at several potential solutions to reduce the hypoxic zone based on the information garnered in the updated assessment.

H.R. 2484 also includes a section specifically for the Chesapeake Bay Dead Zone. It requires the Under Secretary to transmit an assessment report to Congress on the dead zone in the Chesapeake Bay and develop a plan for reducing, mitigating, and controlling it. The bill requires that the information gathered in the assessment be used as part of the regional research and action plan for the Chesapeake Bay region.

Finally, H.R. 2484 provides NOAA with an authorization of \$18,000,000 for each fiscal year from 2012 to 2015, a level slightly below 2010 levels. It also directs the Administrator of EPA to utilize up to \$3,000,000 of existing funding for each fiscal year from 2012 to 2015 to carry out the authorized provisions in this Act.

H.R. 2484 started out from a version of a House passed bill in the 111th Congress. I understand that there has been positive collaboration on this effort between minority and majority staff, and I hope that such collaboration will continue and increase as we move through the legislative process. I urge the support of all Members of the Subcommittee for this bill.