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Testimony of Cameron Davis, President & CEO, Alliance for the Great Lakes & Co-Chair, Healing Our Waters®--Great Lakes Coaliton

on the Great Lakes Legacy Act Reauthorization

Before the Water Resources & Environment Subcommittee
U.S. House Transportation & Infrastructure Committee
May 21, 2008

Good morning Chairwoman Johnson and members of the Subcommittee. My name is Cameron Davis and I serve as president and CEO of the Alliance for the Great Lakes. Formed in 1970, the Alliance is the oldest non-partisan, citizens' not-for-profit Great Lakes protection organization. Our mission is to conserve and restore the world's largest freshwater resource using policy, education and local efforts, ensuring a healthy Great Lakes and clean water for generations of people and wildlife. I'm also fortunate to serve as the co-chair of the Healing Our Waters® -Great Lakes Coalition, which is made up of more than 100 organizations dedicated to Great Lakes restoration.

With 90 to 95 percent of the nation's fresh surface water, the Great Lakes could cover the Continental United States with more than nine feet of water. But their size belies their fragility. Because they are a relatively closed system – they do not flush like rivers – what goes in, tends to stay in. That is true of "legacy pollutants," persistent toxins that remain at the bottom of industrial harbors and rivers, a legacy of the

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Midwest's past. The result: contamination can continue to circulate through the food chain from fish to people, especially children, women and other sensitive populations.

Contaminated Sediments Pose Serious Problems

Though contaminated sediment is not a glamorous issue, it continues to threaten Great Lakes industries in very real ways. During periods of low lake levels such as those we're experiencing now, commercial ships can churn up contaminated sediment. Dredging plans can take years—if not decades—to result in cleanup because of sediment cleanup complexities, causing shipping to suffer in the meantime.

It also continues to affect shoreline communities. Municipalities that ordinarily might use their harborfronts for community gathering spots instead find that people are repelled from these important places.

It is in many ways the most threatening Great Lakes health problem. Unlike air pollution or runoff that may be apparent to the senses, contaminants from sediment are insidious, stealthily working their way up the food chain to contaminate fish and people who eat them.

Some of the contaminants found in sediment are known to have wide-ranging effects. Several of the pollutants found in sediments such as PCBs, dioxin, and PAHs have been shown to cause cancer in animals and humans. Also, dioxins, mercury, and arsenic have been linked to reproductive problems. These chemicals can harm people when they eat fish that live in lakes and rivers with contaminated sediments.

The U.S. Environmental Protection Agency recognizes that some organo-chlorines, many of which re-circulate through the Great Lakes from sediment, can be a severe threat to public health:

> Researchers at Wayne State University have been following from birth a group of children born to mothers who had regularly eaten at least 11.8 kg of contaminated Lake Michigan fish over a 6-year period. The study linked exposure to PCBs to decreases in birth weight, head circumference and gestational age of the new-born infants. Follow-ups of the children have documented subtle deficits in short-term memory and certain cognitive skills. The extent to which these deficits are a result of contaminant exposures is still a subject of great debate, prompting other researchers to conduct similar studies in human subjects and laboratory studies with rats.[1]

The International Joint Commission, which advises the U.S. and Canadian federal governments on transboundary environmental matters, found that:

> The evidence is overwhelming: certain toxic substances impair human intellectual capacity, change behaviour, damage the immune system and compromise reproductive capacity. The people most at risk are children, pregnant women, women of childbearing age and people who rely on fish and wildlife as a major part of their diet.[2]

The Commission's parting words on the subject are telling: "The political will must be found and financial resources allocated to dredge and remove contaminated sediments."[3]

Time for Action

In 1987, after using a bi-national decision making process, the International Joint Commission finalized a list of contaminated hotspots. Now more than 20 years later,

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[1] U.S. Environmental Protection Agency, *Great Lakes Atlas,* http://www.epa.gov/glnpo/atlas/glat-ch4.html#7 (accessed May 15, 2008)
[2] International Joint Commission, Ninth *Biennial Report on Great Lakes Water Quality* (1998), page 10.
[3] *Id.*, p. 40.

only one of the 31 sites either wholly in the U.S. or shared with Canada have been removed from the list. It is time to turn this around and restore these sites so we can restore their communities.

Additionally, two recent Brookings Institution studies show that a federal investment in restoring the Great Lakes – including sediment cleanup – will result in about a 3:1 return on investment: For every dollar invested by Congress, we should expect about three dollars in short and long-term benefits.[4] This may include up to $26 billion in returns via property value increases in the region's metropolitan areas, many of which house contaminated sediment problems.[5]

It is simply time for action. The longer we wait to fund and clean up these sites, the more expensive the problem becomes in terms of dollars and the health of our children.

Fortunately, Great Lakes Legacy Act reauthorization will help.

Making the Next Generation of the Great Lakes Legacy Act Work Better

Since Congressmen Oberstar and Ehlers introduced the first generation of the bill several years ago, the Legacy Act has been extraordinarily helpful. But several years of experience under the first generation of the Act shows that there are ways we can get more mileage out of the law.

The Great Lakes Regional Collaboration *Strategy*, developed by 1,500 agency, public interest, business and other stakeholder representatives from around the region recommended among other things:

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[4] Austin, J., et al., *Healthy Waters, Strong Economy: The Benefits of Restoring the Great Lakes Ecosystem* (Brookings Institution, September 2007).
[5] Austin, J., et al., *Place-Specific Benefits of Great Lakes Restoration* (Brookings Institution, February 2008).

- Addressing inefficiencies in the Great Lakes Legacy Act and increasing available funding to a level sufficient to reach the goal of cleaning up all contaminated sediment sites in the AOCs by 2020.

- Working toward better alternatives to removal and disposal of sediments.[6]

It went on to recommend ways to achieve many of these recommendations for the Legacy Act, including:

- Prioritizing projects so that sediment cleanup is the first choice and we can make progress on de-listing Areas of Concern.

- Expanding the authorization to provide more funding for more eligible projects, including those that use innovative demonstration and pilot efforts.

- Allowing funds to go for aquatic habitat restoration because sometimes simply removing contaminants is not enough to bring a site back to health.

- Eliminating the need for "exclusive federal agency project implementation" so that contractors can execute cleanups with agency oversight.[7]

Speeding Cleanups is Critical

The next generation of the Legacy Act is critical to ensure that we do not wait another 20 years to see the remaining Areas of Concern cleaned up. We urge you to quickly introduce and pass legislation in keeping with these recommendations. Thank you for revitalizing and renewing the Act to ensure that we leave a legacy of health for future generations, not a legacy of pollution.

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[6] Great Lakes Regional Collaboration Strategy (Dec. 2005), p. 37-38.
[7] *Id.*, p. 38.