TESTIMONY

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Environment and Water Resources Subcommittee
of the
Transportation and Infrastructure Committee
U.S. House of Representatives
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Dear Chairwoman Johnson, Ranking member Boozman and other members of the subcommittee.

I am William Ruckelshaus, and I serve as the chair of the Leadership Council of the Puget Sound Partnership. The Leadership Council consists of myself and six other citizens appointed by Washington Governor Christine Gregoire. The Puget Sound Partnership is a new state-created effort of citizens, governments, tribes, scientists and businesses working in collaboration to bring Puget Sound back to health.

Thank you for the opportunity to discuss our approach with you, and the critically important legislation to compliment this effort recently introduced by Congressman Norm Dicks: The Puget Sound Recovery Act. This legislation would have the effect of mobilizing the federal government as a full partner in efforts to restore and protect Puget Sound, which is the ecological and economic engine of our region. It is clear that if we are to succeed in resuscitating this beautiful and complex water body it will require the concerted participation of our citizens, all sectors of society and all levels of government, including the Federal Government.

The Partnership is in the process of developing a coordinated, statutorily mandated Action Agenda to recover the Sound by 2020. The goal is to have one prioritized plan of attack for our federal, state, local and non-profit partners based on the best science available. Our charge from Governor Gregoire and the State Legislature is to look at the whole picture, not just the

parts, and employ an eco-system based approach to restoring Puget Sound, from the crests of the Olympic and Cascade Mountains to the marine waters of the inland sea.

The Puget Sound Recovery Act of 2008 would provide us with a major tool to help accomplish our ambitious Action Agenda. It would do this by establishing an EPA Puget Sound Program Office, whose director would coordinate the major functions of the federal government related to the implementation of the comprehensive Puget Sound Action Agenda being developed by the state Puget Sound Partnership.

This office would work with the Fish and Wildlife Service, the Park Service, NOAA, The United States Geological Survey, The Army Corps of Engineers and other federal agencies to implement and fund elements of the Action Agenda including water quality improvements, wetland and estuary restoration, endangered species recovery, and the research and studies necessary to support these actions.

Significantly this legislation would also require the President to submit a crosscutting budget that would highlight for each federal agency the amount of funding obligated and proposed for restoring and protecting Puget Sound.

The approach we have taken does not put the Federal government in charge of this effort. Instead the relationship we are already forging with federal agencies, and which The Puget Sound Recovery Act would codify, will encourage full federal participation in implementing an action agenda which they, along with the state, local governments, fishers, farmers, businesses, environmental and other citizen groups helped to craft.

Let me give you some background and context for how we arrived where we are, and why it is crucial to have the Federal Government invested in the success of this initiative.

In the late 1990's the National Oceanic and Atmospheric Administration (NOAA) listed Chinook salmon in Puget Sound as threatened under the Endangered Species Act. NOAA also listed another species of salmon for a smaller area within the Sound. The economic ramifications of this listing caused an enormous amount of concern and uncertainty in the region.

As it relates to Pacific salmon, humans have intercepted its life's journey through increasingly effective fishing techniques and technology. At certain times, we have attempted to replace the wild fish with artificially grown hatchery fish. (There are still over 50 hatcheries in Puget Sound.) We have battered, destroyed and permanently altered much of the fish's habitat, all to the point, that some salmon species are utterly dependent on the human species for survival. We got the fish in the mess they are in now and according to the Endangered Species Act it's up to our presumably larger brains to get them out.

In any event, these Chinook salmon swim through every major geographic area of the Sound from urban Seattle/Tacoma/Everett, to agriculturally dominated rivers, to relatively pristine, lightly populated areas of the Olympic Peninsula. Under the Act, any taking, broadly defined, of the fish by anyone was prohibited without a permit and any action taken by, or needing approval of the Federal Government was heavily regulated.

The Endangered Species Act mandates the federal government to prepare a recovery plan. Under that same statute, a recovery plan is rarely attempted because it usually involves the Feds telling local landowners how they can use their land. Roughly, the equivalent of telling my grandchildren to lay off the cookies.

We decided to take a different course. Collectively, we seized on the requirement for a recovery plan as a way to provide a goal for all of us to pursue. We broke Puget Sound down into 14 watersheds and engaged local government leaders, fishers, businessmen, environmentalists and citizens from all walks of life. Watershed councils were formed where they did not exist. These watershed groups are inclusive of all the interests in their area. All watersheds were given very ambitious fish goals (14,000 thousand spawners for the Skagit River for instance) and if all these fish roll up into big enough numbers and they begin to show up as a result of the actions committed to by the people of Puget Sound, it will allow a delisting of the fish.

The political momentum from this regional effort provided the fuel for a comprehensive initiative to restore the Sound. Each watershed was asked to submit chapters for the Sound-wide plan. The resulting Recovery Plan was approved by NOAA in December of 2006. This effort has formed the basis for the next step. With the active leadership of Governor Gregoire the Puget

Sound Partnership was formed, and we are now attempting to address the needs not only of endangered fish, but of the *ecosystem* that sustains them.

In effect, this is a massive experiment involving a vast geographic area. We are attempting to use democratic means to achieve a societal end: a healthy ecosystem that sustains fish, wildlife and humans.

Two elements are crucial to remember. First, we need the Federal Government at the table and helping in the development of the plan. This is why the Puget Sound Recovery Act is crucial. EPA and the other federal agencies are not following their usual mantra of "You tell us what you want to do and we'll tell you whether you can do it." A prescription for nothing happening. Instead, the Feds are in the boat and rowing.

Secondly, the plans and commitments necessary to implement the action plan must be made by the people who will be most impacted by their implementation. Their involvement is voluntary and collaborative and enormous progress is already being made. People who would normally see one another only in Court are sitting down across the table and harmonizing their interests in a way that four years ago would have seemed like an unnatural act.

When people come to realize that the watersheds they are improving are their place, where they and their children live, they get serious about the watersheds' health.

The democratic process we are following has changed the dynamic from a landowner standing on the bank of his river, going through his land and shaking his fist at the government to lowering his fist looking at his feet and asking himself the question, "What can I do to make the use of this water work for me, my neighbors and the fish and wildlife who share it?" Once that question is asked, real progress begins.

When the Legislature created the Puget Sound Partnership, they created a lean agency designed to promote the best efforts of individuals and communities and to get the best environmental value for every dollar spent. Our key strategies are collaboration, accountability, and basing all of our decisions on the best science and information available.

Puget Sound is a national treasure, boasting 2,500 miles of shoreline, 14 major rivers, and thousands of streams. Literally hundreds of species of wildlife and marine life call it home. Its health is key to our region's quality of life, economy and the legacy we leave future generations.

The region is also home to over 100 cities, twelve counties, and 19 Native American Tribal Nations. In all, over 4 million people consider Puget Sound home and we are all, to one extent or another, preparing to welcome an estimated 1.5 million more people by 2020. Our population growth rate is nearly twice the national average.

The news regarding Puget Sound is not all bad. Most industrial wastewater discharge permits are in compliance. We've expanded and improved sanitary sewer systems and treatment plants. We've reduced the use of fertilizers, pesticides and herbicides that make their way into Puget Sound. Tremendous efforts, by thousands of people, have improved the shoreline and near-shore habitat to benefit fish, birds and animals.

Still this is not enough. Despite the effort that we continue to make and the best intentions of our citizenry, NOAA recently listed Orca whales as endangered. Shellfish beds are closed because their bounties aren't safe to eat. Beaches are closed because they aren't safe for swimming. The list of threatened and endangered Puget Sound species is long, and without action, will continue to grow.

But our ultimate challenge is figuring out a way to effectively accommodate the 1.5 million people coming – by addressing stormwater runoff, maintaining working forests and farms, recovering habitat and developing differently – or we will lose our chance to save Puget Sound.

To accomplish something as monumental as restoring the health of a place like Puget Sound, the planets need to align. An opportunity like this happens only rarely, and that opportunity is upon us. Our governor, Legislature and Congressional delegation have made Puget Sound a top priority.

The Puget Sound Recovery Act will position and empower the Federal Government to join and augment the monumental collaborative efforts underway in the region:

- **Complexity of Regulatory Requirements.** The waters of the Puget Sound region are protected by the Clean Water Act, the Coastal Zone Management Act, the Endangered Species Act and other critical federal environmental regulations. The responsibility for ensuring implementation of these important laws falls to virtually every level of government in the region. Those who are building the houses and businesses that are in demand to accommodate the people who want to live in the region are faced with a tangle of regulatory requirements that makes building anything more expensive and complex than it needs to be. The system is broken. The people of the region have known it for a long time. The governor and the state legislature have recognized it through the creation of the Puget Sound Partnership. A Puget Sound Program office will enable federal agencies to fully and effectively participate in the partnership to restore Puget Sound.

- **Importance of Collaboration with Tribal Nations**. The 19 federally recognized Tribal Nations that are located on the shores and rivers of Puget Sound depend on and have treaty rights to the bounty of the waters for food and material necessities, livelihood, and cultural and spiritual sustenance. Appropriately, these Tribal Nations are co-managers of the fish and shellfish that they have depended on for thousands of years. The federal government plays an important role in ensuring that treaty obligations with these tribes are met. However, meeting these obligations requires the coordinated efforts of a multitude of federal and state entities. All efforts to improve coordination at the federal level will be greatly beneficial to meeting treaty obligations.

- **Western Gateway to Asian and Other World Markets**. Puget Sound is a major US terminus of the superhighway to China and the rest of the world markets that provision the nation. Ports are an economic powerhouse in Washington State supporting one in four jobs in the state economy. The busiest ports are located in Puget Sound which provides natural deep water harbors capable of handling the largest ocean-going vessels. In addition, thousands of tourists board cruise ships on Puget Sound every year headed for Alaska and other destinations. Functional, competitive ports depend on efficient movement of freight, an ample workforce, and modern infrastructure. All of this depends on the ability of the region to come to agreement on technology and infrastructure that meets the needs of the ports while at the same time protecting Puget

Sound and the health and well-being of residents. The federal government plays multiple important roles in this arena… a role that would most effectively be performed from an EPA Puget Sound Program Office.

- **Roads and Transit**. Roads are at once vital to creating healthy communities in Puget Sound and are one of the leading contributors to water pollution. The federal government provides a significant amount of funding to improve and expand highways and transit in the region. This funding helps ensure that the state economy remains healthy and that cities are able to accommodate all of the people who want to live in our beautiful region. The federal government also plays an important role in ensuring that new federally-funded transportation infrastructure does not further degrade the quality of the fresh and salt waters of the Puget Sound region. An EPA Puget Sound Program Office would provide the coordination necessary to ensure that federal dollars are being used to for maximum possible benefit to communities and the environment.

- **Air Quality**. The National Park Service in February of this year released the results of a six-year study regarding water pollution in national parks from airborne contaminants. Snow and water in high alpine lakes in both Mt. Rainier and Olympic National Parks had some of the highest concentrations of mercury and agricultural pesticides than any other parks in the nation. In some cases, fish in these lakes had such high levels of contamination that they were unfit for human consumption. If airborne deposition of pollution is a problem in our alpine lakes and snowfields, it is certain to be a problem in all areas of the Puget Sound watershed. An EPA Puget Sound Office would help focus agency and state attention on this problem,

We are in a unique position. If we get this right, Puget Sound could be a national – even international – model for successful large-scale restoration projects.

We are on track to be just that.

With increased help from the EPA, I have all the more faith that we can be the program that others look to for hope and for expertise.

Thank you for your time. I would be happy to answer any questions or provide additional information at this time.