



**American Rivers**  
*Rivers Connect Us*

**Testimony of Katherine Baer  
Senior Director, Clean Water Program, American Rivers**

**Committee on Transportation and Infrastructure  
Subcommittee on Water Resources and the Environment**

**U.S. House of Representatives**

**“Integrated Planning and Permitting: An Opportunity for EPA to Provide  
Communities with Flexibility to Make Smart Investments in Water Quality”  
December 14, 2011**

## **INTRODUCTION**

Mr. Chairman, Ranking Member, and members of the Subcommittee. Thank you for inviting me to testify before you today. My name is Katherine Baer and I am Senior Director of the Clean Water Program for American Rivers. Founded in 1973, with offices throughout the nation, American Rivers is the leading voice for healthy rivers and the communities that depend upon them.

We believe that EPA's effort to create a more integrated approach to water management warrants support. For too long there have been unnecessary silos between the management and planning for stormwater, wastewater and drinking water, thus missing important opportunities to use smarter and more sustainable approaches to protect our clean water. As long as the fundamental standards and requirements established in the Clean Water Act to protect public health and the environment are preserved, this integrated approach could lead to improved consolidation of water services that benefit ratepayers, taxpayers, communities and the environment.

I'll briefly address the following main points: 1) the need to maintain strong clean water safeguards as part of integrated permitting and 2) the opportunity to advance more sustainable and cost-effective solutions as part of this process.

## **THE IMPORTANCE OF CLEAN WATER PROTECTIONS**

The landmark Clean Water Act is responsible for improving the quality of water across the country – since 1972, for instance, the number of streams, rivers and lakes meeting water quality standards has doubled. Yet, there is much to be done – 40 percent of America's rivers and 46 percent of our lakes are too polluted for fishing, swimming, or aquatic life, and every year up to 3.5 million people become sick from contact with water contaminated by sewage.<sup>1,2</sup> Challenges to clean water range from population growth, to sprawling development, to increasingly severe and frequent floods and droughts that tax the systems that manage water. As we look to the future, meeting these challenges will require us to direct limited dollars toward cost-effective solutions for clean water that produce multiple community benefits.

At the same time, the fundamental structure and goals of the Clean Water Act must be preserved. Water quality standards are the backbone of the Act and serve to protect human and environmental health. Any integrated permitting approach must be directed to reaching Clean Water Act goals in the most sensible, efficient way, and not towards weakening the Act's fundamental protection of our streams and rivers that provide drinking water for roughly two-thirds of all Americans.

## **A SMART AND SUSTAINABLE APPROACH TO CLEAN WATER**

This hearing is aptly about "smart" investments in clean water, which indicates comprehensive and sustainable approaches to clean water that maximize benefits for every dollar invested. No longer can we continue to invest solely in outdated infrastructure approaches that are based on assumptions from the 19<sup>th</sup> and 20<sup>th</sup> century focused only on the pipes, pumps and reservoirs needed to move the drinking

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<sup>1</sup> Blatt, Harvey. *America's Environmental Report Card: Are We Making the Grade?* Boston: Massachusetts Institute of Technology, 2011, p. 25.

<sup>2</sup> U.S. Environmental Protection Agency, Notice of Proposed Rulemaking, National Pollutant Discharge Elimination System (NPDES) Permit Requirements for Municipal Sanitary Sewer Collection Systems, Municipal Satellite Collection Systems, and Sanitary Sewer Overflows, 4 January 2001.

water, waste and stormwater through the system or store it until needed. Instead, we must adopt a strategy that recognizes the integration of the built and natural environments and comprehensively manage water infrastructure as a unified system of these mutually dependent systems. Healthy floodplains, small streams, wetlands, and streamside buffer zones are key parts of our water infrastructure and should be considered our first line of defense against floods, droughts and pollution. In both developed and developing areas, we must integrate techniques such as green roofs and rain gardens to reduce, reuse and clean our water. Such smart infrastructure approaches have far-reaching benefits – they reduce stormwater runoff and sewage overflows, increase recharge of drinking water supplies, and create valuable green space. In this current fiscal climate, we must seek these sorts of approaches that provide multiple benefits for every dollar invested.

In many cases, these forward-thinking infrastructure approaches will cost less than traditional pipes, treatment plants, and reservoirs. Sanitation District No. 1 in northern Kentucky, for instance, developed an integrated watershed plan including green and grey infrastructure that will save the community \$800 million and produce better clean water results than the original all “grey infrastructure” plan. In Bremerton, Washington, a city of 40,000, the City has used both green and grey approaches to reduce combined sewer overflows. A program to disconnect downspouts from homes and businesses kept water out of the sewer system and instead soaked it into the ground. Using this and other methods, such as permeable pavement, Bremerton calculated that it was ten times cheaper to treat the water naturally that way, even with the cost of providing an incentive payment to landowners factored into the total project cost.

Because the integrated permitting approach under discussion today is driven largely by the question of how best to pay for clean water, approaches that are cost-effective and can address two problems at once – for example treating water on site to reduce both polluted stormwater and sewer overflows – are ideal. Funding sources that do exist, however, are not always aligned to support these smart investments. Bonds are

limited in their ability to fund anything other than fixed, central treatment plants. However, there is now increasing interest in aligning funding to support integration. In recent years, EPA has provided clear guidance to states on defining green infrastructure projects eligible for SRF funding, and states are starting to leverage this money for a broad range of projects to save water, energy and achieve clean water. Similarly, local governments are finding that providing a financial credit for treating stormwater on site is beginning to create a secondary market for local contractors, expanding local job opportunities. We should also support efforts to formally recognize natural assets as part of the accounting process – protecting a city’s drinking water supply through source water protection should be valued on the books and provide an asset against which to borrow for further investments. Although federal funding is not increasing, these trends warrant noting as we should look for opportunities to strategically direct what federal investment exists to prioritize integrated approaches.

The sustainable approaches demonstrated in communities in Washington and in Northern Kentucky are working in communities across the country and are officially recognized by EPA’s Office of Water and Office of Enforcement and Compliance Assurance as a cost-effective way to meet Clean Water Act requirements. Yet, such sustainable approaches remain in the minority. This integrated permitting effort can only work if it provides the opportunity to further advance green infrastructure, water efficiency, capture and reuse, and other innovative approaches into the regular planning and evaluation for Clean Water Act permitting. Only by analyzing these approaches on equal footing with traditional approaches will we be able to achieve the integration needed to move us forward.

## **CONCLUSION**

I recently had the chance to visit Milwaukee and tour one of the many green roofs in the City. The leaders there have committed to using green infrastructure as a key tool to reduce sewer overflows and flooding – the City is increasingly vibrant and the Milwaukee Water Council has further galvanized industry and research, reflecting the

diverse benefits of this strategy. We would agree that there is a benefit to moving toward more integrated infrastructure through better planning, evaluation and sequencing of investments, but only if a vision for smarter infrastructure is driving this process, and only if green infrastructure and other sustainable solutions are on equal footing as part of this process. People and businesses across the country, regardless of their means, need clean water, and upholding the Clean Water Act's goals for public health and the environment will be critical to the success of this effort.

Thank you for the opportunity to testify and I would be happy to answer your questions.

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**  
*Truth in Testimony Disclosure*

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

**(1) Name:** Katherine Baer

**(2) Other than yourself, name of entity you are representing:** American Rivers

**(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?**

**YES**                      **If yes, please provide the information requested below and attach your curriculum vitae.**

**NO**

**(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:**

*As of October 1, 2011*

<b>Federal Grantor/Pass-Through Grantor/Program or Cluster Title</b>	<b>Program (Federal CFDA Number)</b>	<b>Total Grant Amount</b>
<i>U.S. Department of Commerce</i>		
National Oceanic and Atmospheric Administration – Restoration of Migratory Fish Habitat Through Dam Removal and Fish Passage in the Northeast, Mid-Atlantic, and California	11.463	\$2,702,855
National Oceanic and Atmospheric Administration – Restoration of Migratory Fish Habitat Through Dam Removal and Fish Passage in the Northeast, Mid-Atlantic,	11.463	\$2,141,053

Restoration		

Ken Ben  
Signature

12/24/11  
Date

## KATHERINE BAER

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### CONTACT INFORMATION



### PROFESSIONAL EXPERIENCE

#### **AMERICAN RIVERS, SENIOR DIRECTOR, CLEAN WATER PROGRAM, WASHINGTON, DC, 10/05-present**

- Direct clean water policy and advocacy work for national river conservation organization
- Advocate for federal and state legislation in cooperation with coalition partners to ensure clean water and sustainable infrastructure in the face of climate change
- Work with federal and state agencies to implement environmental laws
- Represent American Rivers in Aspen Dialogue on Sustainable Infrastructure, EPA's Climate Ready Utility Workgroup and other national and regional forums
- Lead work with local governments and utilities to adopt sustainable stormwater practices
- Board member of Clean Water Network and Clean Water America Alliance

#### **CENTER FOR PROGRESSIVE REFORM, POLICY ANALYST, WASHINGTON, DC, 9/04-9/05**

- Researched and wrote legal and policy analysis for legal think tank focused in the area of toxics and reforming federal scientific research agendas
- Led and organized conference bringing together Agency staff and academics.

#### **UPPER CHATTAHOOCHEE RIVERKEEPER, DIRECTOR OF HEADWATERS CONSERVATION, GAINESVILLE, GA, 9/96-6/01**

- Analyzed and provided comments to state, local and federal government on numerous water quality issues including riparian buffers, water quality standards, state drinking water programs, and erosion and sedimentation control
- Coordinated and implemented river restoration project, an educational demonstration site for North Georgia;
- Managed nonprofit organization's field office including fundraising and grant management
- Provided education and outreach about water quality issues
- Executive producer of Soque Diary video
- Board member for Georgia Environmental Council, Soque River Watershed Association, and Georgia Lakes Society.

#### **Awards:**

- Georgia Environmental Council, Environmental Professional of the Year.
- U.S. Environmental Protection Agency, Environmental Merit Award.
- U.S. Fish and Wildlife Service, Partners for Fish and Wildlife Recognition Award.
- U.S. Environmental Protection Agency Award of Excellence.
- U.S. Environmental Protection Agency Outstanding Achievement Award.