I am Brooke DeRenzis, a project director at DC Appleseed. Thank you for providing me with the opportunity to submit written testimony regarding the District Department of Environment’s (DDOE) budget for Fiscal Year (FY) 2014. For over a decade, DC Appleseed has advocated for the District to adopt innovative policies to revitalize the Anacostia River. Since the release of our 2011 report *A New Day for the Anacostia*, we have advocated for a holistic approach to cleaning up toxic sediment throughout the tidal river, and we were strongly encouraged when DDOE decided to take this approach. Accordingly, I’d like to focus my written testimony on how the D.C. Council can advance that effort through the FY 2014 budget. This testimony makes three points:

1. The Anacostia River sediment clean-up project that DDOE is pursuing is critical to making the river fishable and swimmable;
2. This complex, multi-year clean-up project should continue to be supported in the capital budget; and
3. The D.C. Council can advance this project by setting legislative deadlines for its completion.

I. The Anacostia River sediment clean-up project is critical to making the river fishable and swimmable.

The Anacostia River has three major pollution problems: 1) stormwater pollution; 2) combined sewer overflows; and 3) legacy toxins trapped in the river’s sediment. The District will make major strides towards these problems over the next several years:

- In accordance with EPA requirements, DDOE is in the process of implementing one of the nation’s most innovative efforts to curb stormwater pollution;
- DC Water anticipates that it will reduce combined sewer overflows into the Anacostia by 98 percent once it completes the Anacostia portion of its Clean Rivers Project in 2018; and
- DDOE is developing a plan to clean up toxic sediment on the river bottom.

Sediment in the Anacostia River is contaminated with polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs), banned pesticides, and metals. Over the past century, these toxic compounds from industrial activities, stormwater pollution, and sewers have accumulated in sediment at the bottom of the Anacostia River, making the river’s fish unsafe to eat. Those who do eat the Anacostia’s fish – particularly children, pregnant women, and nursing mothers – risk cancer and other long-term health problems.
The risk of these toxins to the health of D.C. residents is underscored by a recent study of Anacostia anglers. The study, *Addressing the Risk: Understanding and Changing Anglers’ Attitudes about the Dangers of Consuming Anacostia River Fish* found that as many as 17,000 people may be eating fish from the Anacostia River each year, and 75 percent of anglers surveyed reported that they eat or share with families and neighbors some or all of their catch. The health risk associated with eating the Anacostia’s fish is likely to disproportionately affect low-income residents, as surveyed anglers indicated that they share fish with those who might otherwise go hungry. While public education is important, the only sure way to eliminate this health risk and make the Anacostia is safely fishable is by cleaning up the toxic sediment in the Anacostia River.

With support from the D.C. Council, DDOE has started the process for cleaning up contaminated sediment throughout the tidal Anacostia River. This new approach by the District is authorized by the federal “superfund” law (Comprehensive Environmental Response, Compensation and Liability Act) and the District’s own Brownfield Revitalization Amendment Act. The first step in DDOE’s approach, required under federal superfund law, is a detailed, two-phase study called a “remedial investigation and feasibility study.” The remedial investigation will evaluate the type and degree of contamination in the Anacostia’s sediment, and the feasibility study will identify options and costs for cleaning it up. DDOE has contracted with an independent firm to conduct the study, and the work is now underway. The actual clean-up of contaminated sediment cannot start under the federal superfund law until DDOE has: 1) completed this study; and 2) chosen a clean-up remedy based on the study.

II. This project should continue to be supported in the District’s capital budget

This current fiscal year (FY 2013), DDOE has $1.5 million in capital funds to support the remedial investigation and feasibility study for sediment in the Anacostia River. The Mayor’s Proposed FY2014- FY2019 Capital Improvement Plan includes an additional $41.5 million for hazardous material remediation, including this study; $1.5 million is available in FY 2014 and the remainder is spread over FY 2015, 2016, and 2017.

Funding for this project is critical since the remedial investigation and feasibility study will take more than one year to complete. If done efficiently while re-using current data as much as possible, the study could cost in the order of $10 million. Due to the history of the Anacostia’s contamination, clean-up of the sediment may be the shared responsibility of several federal agencies, the District government, and private parties. While key stakeholders may share the study’s overall costs, DDOE will need funds over the next several years to bring parties to the table to help with the study, as well as to help cover the costs of the actual clean-up that will follow the study.

III. The D.C. Council can advance this project by setting legislative deadlines for its completion.

We strongly support DDOE’s initiative to clean up the sediment in the Anacostia River. Yet as explained above, the remedial investigation and feasibility study is complex, will engage multiple stakeholders, and will take more than one year to complete. To support and advance the
sediment clean-up, DC Appleseed proposes that the D.C. Council adopt legislation that sets deadlines for the completion of the remedial investigation and feasibility study. Deadlines required by D.C. law will help ensure that:

- The study is completed in a reasonable period of time so that clean-up is accelerated and not delayed;
- The project remains in the capital budget and funds are spent efficiently; and
- The project is insulated from changes in political priorities that may occur over the next several years.

We recommend that the D.C. Council also consider including in such legislation a requirement for DDOE to choose a remedy that requires the capping of sediments contaminated in excess of risk-based standards if legislated deadlines are not met. While capping will contain such contaminated sediments, clean-up remedies for sediment projects like the one DDOE is pursuing are often a combination of dredging, capping, and natural attenuation. Because the proposed legislation would set deadlines for a project funded in the FY2014-2019 Capital Improvements Plan, we believe that it may be appropriate to include such legislation in the FY 2014 Budget Support Act of 2013.

Conclusion:

We strongly support DDOE’s effort to clean up contaminated sediment throughout the Anacostia River. It is critical to restoring the river to a swimmable and fishable state. By starting the first stage of the clean-up – the remedial investigation and feasibility study – now, DDOE is positioning the District to capitalize on other investments in the River. These include DC Water’s Clean Rivers Project, which will nearly eliminate combined sewer overflows into the river, and green stormwater infrastructure, that will be used to reduce stormwater pollution. In order to leverage these other investments, however, the sediment project’s funding must be protected in the District’s capital budget, and the project must move forward in a timely fashion. We believe that the Council can support DDOE and advance these goals by codifying deadlines for the completion of the remedial investigation and feasibility study. Such legislation would demonstrate a significant and serious commitment to transform the Anacostia into a source of pride and recreation for all D.C. residents.