DC Appleseed is a non-profit research and advocacy organization in the District of Columbia, focused on making the National Capital Area a better place to live and work. Thank you for providing the opportunity to testify regarding the performance of the Department of Energy and the Environment (DOEE) over the past fiscal year. Looking back on 2018, “The Year of the Anacostia,” there are many accomplishments to be proud of and a demonstration of the will and capacity to do more.

**Anacostia River Remediation**

DC Appleseed has long been involved in community-led efforts to restore the Anacostia and make it a natural resource that District residents and visitors alike can enjoy. In the decades since our 1998 report on managing stormwater pollution in DC’s rivers, we’ve seen significant progress in DOEE efforts to curb polluted runoff and to remediate existing damage.

**Stormwater**

Our 2011 report, “A New Day for the Anacostia,” describes meaningful efforts to reduce combined sewer overflows (CSOs) into the Anacostia, several of which have now been realized or are well underway. We, like others, are beyond pleased that the newly completed Anacostia River Tunnel has been performing even better than anticipated. This achievement played a significant role in the Anacostia River receiving its first passing grade from our colleagues at the Anacostia Watershed Society, who have been publishing report cards for the River since 2012. In addition to these achievements, we must also note the challenges. The CSO tunnels, while highly successful, are also very expensive. The Clean Rivers Impervious Area Charge (CRIAC) which pays for the tunnels continues to be a strain on some ratepayers, both individuals and not-for-profit organizations. While some partial and temporary rate relief programs were put in place, any long-term
solution must reckon with the facts that: 1) the tunnel project is already underway, and 2) the District is obligated to the federal government to complete the project by a date certain. We are aware of efforts by DOEE through recent proposed rulemaking and by Council to address this issue. DC Appleseed hopes to continue to be helpful as they move forward.

Toxics Cleanup
DOEE is a critical partner in the remediation of toxic sediment in the Anacostia River. The agency continues to lead the remedial investigation and feasibility study process (RI/FS), working with the National Park Service and community partners. We appreciate DOEE’s commitment to community involvement, which is underscored by the agency’s creation of a competitive grant that was awarded to Anacostia Riverkeeper, Anacostia Watershed Society, and DC Appleseed to obtain expert help for understanding and commenting on technical documents. The experts retained with that grant, Tad Deshler of Coho Environmental and Brad Sample of Ecological Risk, Inc., helped us to provide both technical and plain language comments to stakeholders of all kinds for use in submitting their own comments on the remedial investigation presented by DOEE. We are also appreciative of DOEE staff and Director Tommy Wells for making scheduling meetings on this topic when requested, on top of regular quarterly stakeholder meetings and other updates. Community input is always broader and richer with more lead time, and we would gladly start the outreach process earlier if DOEE made their thinking available ahead of releasing documents. However, we acknowledge and appreciate the agency’s commitment to including more public participation than required at every stage.

There are also challenges to the RI/FS process for the Anacostia River Sediment Project. This Council granted DOEE an extension of the timeline for completing the RI/FS process for the Anacostia River Sediment Project, with the support of DC Appleseed and other stakeholders. While Director Wells and his team are working diligently to ensure that they will meet the statutory deadline for this process, the government shutdown prevented partners at the National Park Service from meeting its obligations for a month, and fieldwork to meet requests for additional fish and sediment data is ongoing. Both could slow down first publication of the draft FS, and then issuance of the Record of Decision (ROD). Despite these challenges, DOEE has recently assured stakeholders that they fully expect to meet the December 31, 2019 deadline for publishing a ROD and have plans in place to ensure that they will do so.

The River and Park as Community Assets
As a long-time advocate for the Anacostia River and member of the Anacostia Park and Community Collaborative, DC Appleseed is pleased that the Anacostia River has been getting the attention it deserves as a community asset during the Year of the Anacostia. In addition to cleaning the river and physically
improving the surrounding parkland for residents, DOEE is taking steps toward permanent program infrastructure on Kingman Island. We are encouraged by the steps DOEE has recently taken towards establishing permanent program infrastructure on Kingman and Heritage Islands. Our understanding is that the 2017 Kingman Island & Heritage Island Planning & Feasibility Study, a collaboration between DOEE, the architecture firm, Hickok Cole Architects, and additional partner, is on track and the multiyear funding plan laid out in last year’s budget will be adequate. The team developed a two-phase plan that would transform Kingman and Heritage Islands, also known as National Children’s Island, as an educational and recreational space for the District’s children and residents. We support this development, and the development of Kenilworth Park, so long as it includes meaningful community involvement at every step.

**Blood Lead Screening Registry**

As you know, during the FY19 budget cycle, DC Appleseed advocated for funding for the Department of Energy and the Environment (DOEE) to work with the Department of Health (DC Health) to create a registry to track blood lead screening testing and results for District residents. The purpose of the registry is to facilitate and increase compliance with District law requiring two blood lead screenings for every District child by the age of two. Based on our research, we have good reason to believe that a registry can help increase childhood lead screening rates, and ultimately mitigate the incidence and impact of lead poisoning. We recommended that DOEE and DC Health consider integrating the blood lead screening registry with the District’s immunization registry and ensure access was seamless for the health care providers who would be using it. We were joined in our advocacy by several local children’s health experts and leading providers. The DC Council included $750,000 in the DOEE’s FY19 budget with language directing DOEE to establish a lead screening registry during the fiscal year.

Soon after the budget was passed, we reached out to staff at DOEE to offer support in meeting the goals and timeline outlined in the budget documents. We continued to reach out through the end of FY18 and the beginning of FY19, requesting progress updates and offering whatever assistance we might be able to provide. On behalf of a group of leading children’s health stakeholders, we also requested a meeting with the team to ensure that they had input from pediatricians and other end users to inform the development process, and we offered the pro bono expertise of our law firm partners in considering the technological aspects of the project. We sent the attached letter, signed by Children’s Law Center, DC Academy of Family Physicians, the DC Chapter of the American Academy of Pediatrics, the DC Primary Care Association and Unity Health Care, indicating our belief in the importance of collaboration to the development process in order to maximize the effectiveness of this registry. Unfortunately, we have not yet received a response.
While we have been assured that this is not a low priority, and that they are committed to meeting the deadline to create the registry by the end of this fiscal year, we have not met with the team nor do we have any detailed updates to share with the Committee, as we had hoped. We have been told that both IT and agency management have been engaged in the process; and that DOEE and DC Health agreed to bring the Department of Health Care Finance to the table since they play a significant role as funders, monitors and promoters of childhood blood lead screening. We do not have any information on the budget, neither how much has been spent thus far, nor whether the allocated funds are anticipated to be sufficient.

We remain hopeful of the good faith commitment of the government partners who are working on the blood lead screening registry but would like to see a more open and collaborative process to ensure the final product lives up to its potential. We hope that during the budget process you will consider whether the registry process is on track and ensure that funds are available in FY20 to support outreach and education for healthcare providers once the registry is up and running.

Thank you for the opportunity to testify. We will be happy to answer any questions you may have.