

National Association of Home Builders

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Government Affairs

Lake A. Coulson
Senior Vice President & Chief Lobbyist

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The Honorable Sam Graves
Chairman
Transportation & Infrastructure Committee
2165 Rayburn House Office Building
Washington, DC 20515

The Honorable Rick Larsen
Ranking Member
Transportation & Infrastructure Committee
2164 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Graves and Ranking Member Larsen:

On behalf of the more than 140,000 members of the National Association of Home Builders (NAHB), I am writing to convey our strong support for an amendment in the nature of a substitute (ANS) to H.R. 7023, which includes five bills aimed at providing the necessary clarity and confidence needed under the *Clean Water Act* (CWA) permitting process.

Regrettably, housing production is not keeping pace with demand. Among the significant headwinds facing the home building industry is an unpredictable regulatory landscape that hamstrings our members from building affordable housing. The legislation below respects environmental protections and provides pragmatic solutions to the CWA Section 404 dredge and fill permit program, Section 402 National Pollutant Discharge Elimination System (NPDES) program, and Section 304(a) water quality criteria.

- ***The Nationwide Permitting Improvement Act:*** Home builders pull some of the highest numbers of 404 Nationwide Permits (NWP) issued annually. To assist with planning and permit backlogs—this legislation extends the duration of a NWP and streamlines the reissuance process.
- ***The Reducing Permitting Uncertainty Act:*** This bill focuses on providing a defined timeline to when the EPA may veto a 404 permit. Having this predictability will allow home builders to reliably proceed with construction once a permit is granted.
- ***The Judicial Review Timeline Clarity Act:*** Home builders complying with 404 permits require a level of certainty that their activity will not come to an abrupt halt due to capricious judicial reviews. Placing sensible timelines on when these actions may be filed will foster certitude when undertaking resource intensive projects.

- ***The Water Quality Criteria Development and Transparency Act:*** NAHB welcomes the opportunity this legislation provides to submit comments on Section 304(a) water quality criteria. This will enable a more collaborative approach when developing crucial water standards.
- ***The Confidence in Clean Water Permits Act:*** As amended, this legislation requires permit writers to provide clear and consistent parameters when issuing NPDES permits, while recognizing the use of best management practices (BMPs). This will provide assurances to home builders that complying with their NPDES won't include vague water quality standards, nor impose unobtainable numeric discharge limits.

The home building industry requires confidence in the CWA permitting process. Jointly, these legislative instruments respect environmental safeguards and make significant strides in ensuring clarity. For these reasons, NAHB urges the Committee to adopt the ANS to H.R. 7023 and report the legislation favorably to the House floor.

Thank you for considering our views.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lake A. Coulson', with a stylized, flowing script.

Lake A. Coulson