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AGC of America
THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA
Quality People. Quality Projects.



April 13, 2015

The Honorable Bill Shuster
Chairman
Committee on Transportation & Infrastructure
U.S. House of Representatives

The Honorable Peter DeFazio
Ranking Member
Committee on Transportation & Infrastructure
U.S. House of Representatives

Dear Chairman Shuster and Ranking Member DeFazio:

On behalf of the Associated General Contractors of America (AGC), I am writing to express support for "Regulatory Integrity Protection Act of 2015." AGC's nearly 30,000 member companies are engaged in all forms of non-residential construction – including federal construction, buildings, utility infrastructure, and highway & transportation construction. Regulatory certainty and clarity are top priorities for our members. In the Clean Water Act (CWA), Congress granted the US Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA) jurisdiction over "navigable waters," defined in the Act as "waters of the United States" without further clarification. Both the federal agencies and the courts have struggled for years to find a more predictable definition to clearly differentiate those waters that are regulated by the federal government from those that fall under the jurisdiction of state and local governments. Unfortunately, the administration's attempt at a regulatory clarification resulted in several procedural missteps, and a substantial expansion of federal jurisdiction that makes it much harder for property owners to determine which areas are subject to Clean Water Act jurisdiction and which are not.

This legislation will, in effect, require the agencies to go back to the drawing board on the "waters of the United States" (WOTUS) proposed rule jointly published by the EPA and the Corps, and compels a transparent, representative, and open consultation with state and local officials to develop a consensus regarding federal jurisdiction over "waters of the U.S." In doing so, we believe it will achieve environmental benefits, provide certainty and clarity, ensure our nation's ability to engage in the kind of robust economic activity that sustains and supports Americans working in all sectors of the American economy, and will gain broad support from state and local officials and the regulated community. We applaud the Committee's leadership in this effort and urge all members to vote for passage of the "Regulatory Integrity Protection Act of 2015."

Sincerely,

Jeffrey D. Shoaf
Senior Executive Director
Government Affairs