



January 29, 2024

The Honorable Sam Graves
Chairman
Committee on Transportation and
Infrastructure
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Rick Larsen
Ranking Member
Committee on Transportation and
Infrastructure
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Graves and Ranking Member Larsen:

The Waters Advocacy Coalition (WAC) strongly supports the below series of bills introduced by Members of the Water Resources and Environment Subcommittee. We encourage you to report these bills favorably to the full House.

WAC represents a cross-section of the nation's construction, transportation, real estate, mining, manufacturing, forestry, agriculture, energy, wildlife conservation, and public health and safety sectors—all of which are vital to a thriving national economy and provide much-needed jobs in local communities.

These bills provide practical fixes to certain sections of the Clean Water Act (CWA) Section 402 National Pollutant Discharge Elimination System (NPDES) permit program, Section 404 dredge and fill permit program, and Section 304(a) process for establishing water quality criteria. These targeted reforms represent significant steps toward streamlining regulatory procedures, providing greater certainty for businesses in our sectors, and helping meet our nation's ambitious climate and infrastructure priorities.

- 1. H.R. 7023 Nationwide Permitting Improvement Act** (introduced by Rep. David Rouzer): This bill's focus on streamlining Nationwide Permits (NWP) includes practical reforms that will add clarity and certainty to the permitting process. The bill formalizes traditional, time-tested interpretations and applications of NWP while offering clear guidance on addressing issues that have arisen.
- 2. H.R. 7026 Reducing Permitting Uncertainty Act** (introduced by Rep. Pete Stauber): The bill prevents both preemptive and retroactive CWA section 404(c) vetoes. It clarifies when during the CWA section 404 permitting process the U.S. Environmental Protection Agency (EPA) can exercise its veto authority, which will provide greater regulatory certainty to promote investment in U.S. operations.
- 3. H.R. 7021 Water Quality Criteria Development and Transparency Act** (introduced by Rep. Burgess Owens): We appreciate the emphasis on transparency and stakeholder engagement in developing water quality criteria under this bill. The bill establishes a more transparent process that enhances public involvement.

4. **H.R. 7008 Judicial Review Timeline Clarity Act** (introduced by Rep. Eric Burlison): Setting reasonable judicial review timelines is an important step towards preventing undue delays in crucial projects. The bill promotes dependable and efficient project approvals that will not overly burden economic progress.
5. **H.R. 7013 Confidence in Clean Water Permits Act** (introduced by Rep. John Duarte): As amended, this legislation focuses on clear, objective criteria in NPDES permits, and the assurance of liability protection for permit holders acting in good faith, is a welcome development that will foster more confidence in the permitting process.
6. **H.R. 5089 Reducing Regulatory Burdens Act of 2023** (introduced by Rep. David Rouzer): The bill prohibits the EPA or states from requiring CWA NPDES permits for discharges of pesticides into navigable waters if the pesticides are registered, used for their intended purposes, and used in compliance with their pesticide label requirements. These CWA compliance requirements are duplicative in nature since pesticide applications are already regulated under the Federal Insecticide, Fungicide, and Rodenticide Act.

These legislative initiatives collectively address key concerns of our industries, ensuring that essential projects are not hindered by bureaucratic delays or uncertainties. They support both environmental protection and the need for a more streamlined, predictable regulatory framework.

Thank you for your leadership and attention to these critical issues affecting a wide swath of the economy.

Sincerely,

American Exploration & Mining Association
American Farm Bureau Federation
American Gas Association
American Road & Transportation Builders Association
American Society of Golf Course Architects
Associated Builders and Contractors
Associated General Contractors of America
Essential Minerals Association
Golf Course Superintendents Association of America
Independent Petroleum Association of America
Leading Builders of America
Liquid Energy Pipeline Association
National Association of Home Builders
National Association of Realtors
National Cotton Council
National Council of Farmer Cooperatives

National Mining Association
National Pork Producers Council
National Rural Electric Cooperatives Association
National Stone, Sand and Gravel Association
Responsible Industry for a Sound Environment
Southeastern Lumber Manufacturers Association
The Fertilizer Institute
USA Rice
US Chamber of Commerce

cc: Members of the Committee on Transportation and Infrastructure