



March 3, 2021

CWCC VIRTUAL FLY-IN – FEBRAURY 24th

According to intel from Key Advocates, the incoming Biden Administration will be pushing a significant infrastructure bill in the coming weeks, including but not limited to water infrastructure funding. Therefore, we held our annual “DC Fly-In” earlier than normal on Wednesday, February 24th. As the global pandemic is still greatly impacting the congressional legislative process and the operations for most CWCC members, the session was held virtually. Our goal was to meet or exceed the impact of our efforts in these challenging times. That goal was met with 15 participating coalition members in our virtual event – record participation.

We were joined by a guest speaker from the Hill, Ryan C. Seiger who is currently serving as Staff Director / Senior Counsel Subcommittee on Water Resources and the Environment - House Committee on Transportation and Infrastructure. Mr. Seiger did well in his presentation to the Coalition on the outlook for increased State Revolving Fund (SRF) funding and other related matters. As always, our DC Lobbyist Sante Esposito provided a full overview of the DC playing field related to our priorities.

Among other priorities, in 2021 CWCC will be pushing for the reauthorization of the Clean Water SRF with corresponding appropriations of at least \$40B, per H.R.2, the “Moving Forward Act,” a mega infrastructure bill that passed the House last Congress but not the Senate. For the Safe Drinking Water SRF, the CWCC will be pushing for reauthorization with corresponding appropriations of at least \$25.4 B, also per H.R. 2 last Congress. These figures would represent a quadrupling of the current annual federal program, which is needed to address the critical needs faced by our water and wastewater infrastructure partners with additional needs for stormwater and coastal resiliency projects.

Thank you to everyone who participated. We hope that the information shared will be valuable in your in-state efforts as we push for our collective goals. As information becomes available for other national events (virtual) sponsored by CWCC partners over the coming weeks, it will be shared with you.

We have updated the CWCC Website with relevant materials from the virtual event. See: <https://www.cleanwaterconstructioncoalition.org/about>

- Click on "*Current Priorities*" for the 1-page PDF that summarizes our 2021 priorities.
- Click on "*Annual Fly-In*" for materials from our event. Password for Webex recording of our meeting is: rKmNsTk6

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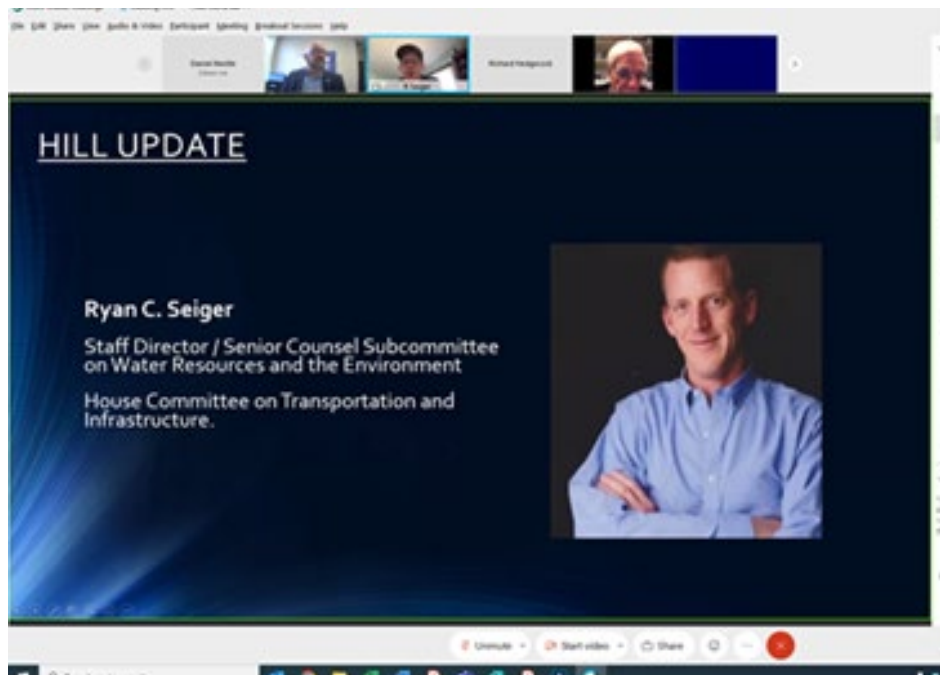
Robert Briant, Jr. – Chairman

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* Steering Committee Member



Special thanks to Sante for his valuable intel and advice along with Helene Nasdeo for her administrative support. I have sent a thank you to our guest speaker, Ryan Seiger, on behalf of the CWCC. Please let us know if you have any questions or needs as you advocate for these priorities with your Congressional delegation.



ASCE RELEASES 2021 INFRASTRUCTURE REPORT CARD

The [2021 Report Card for America's Infrastructure](#) was released today by the American Society of Civil Engineers (ASCE) – a partner with CWCC in Water Week / Infrastructure Week outreach events. The report shows that the nation has made some incremental progress toward restoring our nation's infrastructure. You can look up the grades for your state by [CLICKING HERE](#).

The 2021 grades range from a B in rail to a D- in transit. Five category grades — aviation, drinking water, energy, inland waterways, and ports — went up, while just one category — bridges — went down. And stormwater infrastructure received its first grade: a disappointing D. Overall, eleven category grades were stuck in the D range, **a clear signal that our overdue bill on infrastructure is a long way from being paid off.**

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While ASCE grades 17 categories individually, our infrastructure is a system of systems and more connected than ever before. As you consider the grades and analyze the data behind them, there are three trends worth noting according to ASCE:

1. Maintenance backlogs continue to be an issue, but asset management helps prioritize limited funding. Sectors like transit and wastewater have staggering maintenance deficits but, developing a clear picture of where the available funding is most needed improves overall system performance and public safety. The drinking water sector, for example, has embraced asset management and new technology to pinpoint leaks and target repairs.
2. State and local governments have made progress. Federal investment, when available, has also positively impacted certain categories. Thirty-seven states have raised their gas tax to fund critical transportation investments since 2010. Ninety-eight percent of local infrastructure ballot initiatives passed in November 2020. At least 25 major cities and states now have chief resilience officers. These improvements were made by elected officials from both sides of the aisle and with strong voter support. Meanwhile, categories like ports, drinking water, and inland waterways have been the beneficiaries of increased federal funding.
3. There are still infrastructure sectors where data is scarce or unreliable. Sectors like school facilities, levees, and stormwater still suffer from a lack of robust condition information or inventory of assets. To target investments and allocate funding, routine, reliable data should be the standard.

This information has been used to raise both raise awareness of unmet needs and to celebrate areas of infrastructure policy supported by additional funding. We can use this data to applaud public and private partners for progress they have made along with pushing for more progress in areas we know need more attention.

CWCC has set priorities that rely on bold action from Washington, as well as continued prioritization by states and localities. The data in this report can be used as you interact with your Congressional delegation in the coming weeks. Congratulations to ASCE for releasing this critical report.

KEY ADVOCATES REPORT

Included with this notice is Key Advocates recent report which is current to the end of February.

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March 2021 Insights

Infrastructure

The two top legislative priorities for the Biden Administration are COVID stimulus legislation and economic stimulus legislation. The former, which deals exclusively with virus-related issues, is currently pending before Congress with the goal of enactment by March 15. Following that, the plan is to turn to economic stimulus legislation – a mega infrastructure bill. On February 5, the President held a meeting with committee chairs to discuss the COVID stimulus effort. However, at the end of the meeting, there was brief discussion about infrastructure. During that, the President remarked, as reported in the press, that he “can hardly wait to sit down with Peter DeFazio to work on infrastructure.” On February 11, the President met with key Senators to discuss the importance of economic stimulus. That meeting followed a telephone conversation the previous day with the leaders of China, the result of which seemingly got the President even more committed to an infrastructure initiative. Below is the President’s campaign plan on the issue.

In the House, we are aware of progress by the Energy and Commerce Committee on its piece of an infrastructure bill – Safe Drinking Water SRF, broadband, climate change, etc. Also, the Transportation and Infrastructure Committee is currently working on a multi-year extension of the highway bill and on at least one water bill (noted in a separate section following), both to be included in the infrastructure bill. Both Committees are using H.R.2, the Democratic mega infrastructure bill that passed the House last year, as the starting point. No action in the Senate to date. Also, see below reference to Napolitano’s recently introduced Title XVI WIIN grant bill.

Further, it has been reported that senior Democratic officials have discussed proposing as much as \$3 trillion in new spending as part of what they envision as a wide-ranging jobs and infrastructure package that would be the foundation of Biden’s ‘Build Back Better’ program. That would come on top of Biden’s \$1.9T relief plan, as well as the \$4 trillion in stimulus measures under former President Trump. Aides cautioned that the spending figures were highly preliminary and subject to change. But unlike under Trump, when multiple efforts to address infrastructure faltered before getting off the ground, Biden is expected to take a big swing at the issue and package together funding for expanded broadband networks, bridge and road repairs, technology that reduces greenhouse gasses, etc.

Last year the House Democrats passed their mega-infrastructure bill, H.R. 2 “Moving Forward Act” (\$1.5T) which included \$494B - \$319B for highways, \$105B for transit, and \$80B for rail - \$40B for the CWSRF, \$25B for the SDWSRF, \$600 M for the Alternative Water Source Program (AWSP), and \$500 M for water recycling grants under the WIIN Act with project de-authorization process for inactive projects.

Infrastructure: Biden \$2T Campaign Plan

- Update roads, bridges and electric grids;
- Expand access to broadband;
- Upgrade 4 million buildings and weatherize 2 million homes over four years by providing homeowners with direct cash rebates and low-cost financing;
- Provide cities with high-quality, zero-emissions public transportation options, such as light rail networks;
- Achieve a carbon pollution-free power sector by 2035;
- Enable the creation of 1.5 million sustainable homes and housing units;
- Provide increased funding to meet long overdue clean and safe drinking water needs;
- Create union jobs in the construction industry;
- Create 1 million jobs in the auto industry and increase the demand for American-made, American-sourced clean vehicles;
- Provide consumers with rebates for trading in old, less-efficient vehicles for newer America-made vehicles;
- Construct 500,000 electric vehicle charging stations;
- Require all new American-built buses be zero-emissions by 2030; and,
- Establish new fuel economy standards to reduce pollution.

H.R.1015, the “Water Recycling Investment and Improvement Act”

On February 11, Congresswoman Napolitano introduced H.R.1015 with 13 cosponsors. Even though the text and summary of the bill are not as yet online, the Congresswoman’s staff advises us that it is the same bill she introduced last Congress as H.R.1162. Accordingly, H.R. 1015 increases the WIIN Act authorization for water recycling grants to \$500M, strikes certain requirements, and increases the federal share from \$20 to \$30 M. Last Congress, the H.R.1162 was not moved out of committee. It did make it into H.R.2, the omnibus mega infrastructure bill that passed the House, and the Huffman omnibus water bill, but no action was taken by the committee on the latter.

DeFazio, the “Water Quality Protection and Job Creation Act of 2021”

Per email from T&I Water Resources and Environment Subcommittee staff on February 4, Chairman DeFazio will be introducing the above bill with significant increases in funding levels from H.R 1497 of the last Congress. Of interest to the Coalition, the “new” bill authorizes \$40B over five fiscal years for the Clean Water SRF (compared to \$14B in his previous bill) and \$1B for the Alternative Water Source Program (compared to \$150M). We are still waiting on the final draft to make sure that it includes the language in H.R. 1497 which we sought regarding eligibility for recycled water projects in the Alternative Water Source Programs. The funding levels in the “new” bill reflect for the most part those included in H.R.2.

S. 1932 “Drought Resiliency and Water Supply Infrastructure Act”

Per staff of the Senate Energy and Natural Resources Committee, just getting organized for the new Congress given the delay in the Georgia elections and agreement between the two leaders on the committee process. Previously, it was indicated to us the the plan is to address the issue again this Congress. Last year the Gardner/Feinstein bill, which was in ongoing negotiations, had

bipartisan support generally but Senator Manchin had some concerns (unknown) that created a roadblock that was not resolved. The last compromise we heard was the one that proposed \$160 M over 5 years for recycled water projects (WIIN Act). At this point the two unknowns are that Republican support in the Committee given that Gardner lost reelection and Manchin's substantive concern(s).

Congressman Huffman's Omnibus Water Bill

Per Logan Ferree, Deputy Director, Congressman Huffman, Congressman Huffman's omnibus water proposal will be reintroduced this year. Ferree reported that they were able to secure a number of legislative victories in the final omnibus that passed at the end of last year, so there will be some changes to the bill. He also said that they welcome the opportunity to work with stakeholders as the bill is updated but believe the base text is in a very good place and don't expect dramatic changes.

Senator Hirono Water Bill

Senator Hirono staff has said that the Senator will be introducing a water bill. To date, no further information.

T&I Hearing

On Feb 23, the Subcommittee on Water Resources and Environment held a hearing on the "Urgent Needs to Invest in America's Wastewater Infrastructure." Statement highlights of key participants:

DeFazio:

"According to the most recent U.S. Environmental Protection Agency (EPA) Clean Water Needs Survey, States have documented a need for \$271 billion in investment over the next 20 years—that's almost \$14 billion needed annually for wastewater infrastructure—and it is likely this estimate, which is now almost a decade old, significantly underestimates the REAL need. And yet, do you know how much the Federal government is ACTUALLY investing in wastewater infrastructure annually? About \$1.6 billion in the fiscal year 2021 appropriations bill. At our current rate of federal investment, it will take us almost 170 years just to address existing wastewater infrastructure needs, and that doesn't include investments to address the challenges posed by climate change, extreme weather events, and the resilience of our water utilities."

Napolitano:

"However, for those communities where a State Revolving Fund loan is still not enough to address local affordability needs, we need to ensure other tools are available. We need to fund targeted clean water grants, such as those authorized for combined, and, sanitary sewer overflows and storm water capture, and reuse in the 2018 Water Resources Development Act."

McFoy (Buffalo Sewer Authority, on behalf of NACWA):

"Finally, it is important that local policymakers have the flexibility necessary to use any federal

funds in the manner that will result in the greatest good for the greatest number of people in their jurisdiction."

Earmarks

Still hearing of interest and leadership support for earmarks for the FY22 appropriations process (Hoyer, DeFazio, DeLauro, etc.). The Senate will typically follow the House on this issue. If earmarks are a go, Members will go out with questionnaires. These questionnaires want information on the project, including the need, justification, and level of support along with the funding request. The Member then decides his or her priorities for the request.

Consolidated Appropriations Act, 2021 and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021

To review, on December 27, the President signed into law, as one vehicle, the Consolidated Appropriations Act, 2021, which funds the government at \$1.4T through next September and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021.

“Water” highlights from the Appropriations portion are \$63.665M for Title XVI, of which \$20M is for WIIN Act projects, and \$55M for WaterSMART grants. Also, funding for the CWSRF and the SDWSRF are the same as FY20 - \$1.6B and \$1.1B respectfully.

Transportation highlights from the Appropriations portion are \$45614B for highways, \$1B for bridge replacement and rehabilitation, \$12.5B for transit, \$194M for NHTSA, \$623M for highway safety, \$236M for FRA, \$2B for Amtrak, \$2M for mag lev, \$328M for motor carrier safety, and \$155M for MARAD.

Transportation highlights from the Coronavirus Act portion are \$14B for transit including \$50M for paratransit providers; \$10B for state and local transportation departments to replace revenues; \$1B for Amtrak for operations and to prevent further employee furloughs; \$2B for motorcoach and bus operators, school bus companies, and U.S. flag passenger vessel operators; \$2B for airports to retain personnel, continue operations and provide relief for retailers at the airport (i.e. concessionaires); \$15B to extend the Payroll Support Program for aviation employees through March 31, 2021; and, \$2B for FEMA’s Disaster Relief Fund and assistance to cover funeral expenses for deaths from COVID.

Senate Highway Bill

Senate Democrats plan to scrap a bipartisan surface transportation bill, S. 2302, drafted last Congress for a new proposal that contains more aggressive proposals on climate issues and other Democratic priorities. To review last Congress, the EPW bipartisan bill authorized \$287B in highway spending, 90- percent of which would be distributed to the states by formula. The bill featured a title on climate change that authorized \$10.8B for various programs addressing resiliency and \$1B for electric, hydrogen, and natural gas vehicle charging and fueling stations. It provided billions for curbing emissions, reducing congestion and truck idling. It also streamlined infrastructure permitting and set a two-year target for environmental reviews. Lastly, the bill authorized \$12.5M per year to fund state and regional pilot testing of user-based alternative revenue mechanisms to the gas tax. No action was taken by the Senate on the bill. The highway program was extended for one year.

House Highway Bill

Staff currently working on a multiyear bill. To review last Congress, no House action on a multiyear bill; one-year extension enacted. The multiyear bill provided \$494B in total funding from FY21 to FY25, as follows: \$319B for the highways; \$105B for transit; \$4.6B for safety; \$5.3B for motor carrier safety; and, \$60B for passenger rail.

Bill Tracking

Summaries and updates included as available.

H.R.227 — 117th Congress (2021-2022)

To provide dedicated funding for the national infrastructure investment program and the capital investment grant program, and for other purposes.

Sponsor: Rep. Hastings, Alcee L. [D-FL-20] (Introduced 01/06/2021) Cosponsors: (1)

Committees: Transportation and Infrastructure; Ways and Means

Latest Action: 01/06/2021 Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means,

H.R.201 — 117th Congress (2021-2022)

To direct the Secretary of Transportation to establish a national bridge replacement and improvement program, and for other purposes.

Sponsor: Rep. Emmer, Tom [R-MN-6] (Introduced 01/05/2021) Cosponsors: (0)

Committees: Transportation and Infrastructure

Latest Action: 01/05/2021 Referred to the Committee on Transportation and Infrastructure.

H.R.248 — 117th Congress (2021-2022)

To amend title 23, United States Code, to expand eligibility for the surface transportation block grant program, and for other purposes.

Sponsor: Rep. Hastings, Alcee L. [D-FL-20] (Introduced 01/11/2021) Cosponsors: (0)

Committees: Transportation and Infrastructure

Latest Action: 01/11/2021 Referred to the Committee on Transportation and Infrastructure.

H.R.200 — 117th Congress (2021-2022)

To direct the Secretary of Transportation to establish a national intersection and interchange safety construction program, and for other purposes.

Sponsor: Rep. Emmer, Tom [R-MN-6] (Introduced 01/05/2021) Cosponsors: (0)

Committees: Transportation and Infrastructure

Latest Action: 01/05/2021 Referred to the Committee on Transportation and Infrastructure.