



August 3, 2020

UPDATE ON WATER INFRASTRUCTURE FUNDING

The attached report from Key Advocates includes a full run down of the various vehicles for funding increases to support water infrastructure investment.

On July 31st the House passed its mega infrastructure bill by a mostly partisan vote of 233-188. The cornerstone of the bill is the reauthorization of the FAST Act – the highway/transit program. See the following links:

- Text of the Moving Forward Act is: <https://transportation.house.gov/download/bill-text-moving-forward-act>
- A Section by Section is: <https://transportation.house.gov/download/sec-by-sec-moving-forward-act>

“Water items of interest” included:

- Alternative Water Source Program - \$600M - see p. 49 of the Section-by-Section and pp.1122-1124 of the Bill Text;
- Clean Water SRF -\$40B (\$8B annually for 5 years) - see p.50 of the Section-by-Section and pp.1132-1133 of the Bill Text;
- Safe Drinking Water SRF - \$4.140B for FY22; \$4.8B for FY23; and \$5.5B for FY 24 and 25 - see p.61 of the Section-by-Section and p.1463 of the Bill Text; and,
- Title 16 WIIN Grants - \$500M - sec p.78 of the Section-by-Section and pp.1781-1783 of the Bill Text; and,
- Rewrite of the Huffman omnibus bill including a process to de-authorize inactive USBR water projects

So far the discussion of a Senate infrastructure bill has focused only on the bipartisan FAST Act and WRDA reauthorization bills reported by the Environment and Public Works Committee. COVID-19 Recovery Bills have not included water infrastructure funding to any noteworthy degree. The House Bills "America's Water Infrastructure Act of 2020" (AWIA) and the "Drinking Water Infrastructure Act of 2020") funding levels are favored by, but are not expected to move in the Senate.

Highlights of both bills and others are included in the full report from Key Advocates.

cleanwaterconstructioncoalition.org | P.O. Box 728 | Allenwood, NJ 08720 | Office: (732) 292-4300 | Fax: (732) 292-4310

Robert Briant, Jr. – Chairman

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* Steering Committee Member



HOUSE WRDA BILL

On July 29, the House passed H.R. 7575, the “Water Resources Development Act of 2020” which would authorize an estimated \$8.6 billion in federal funds to help finance **34 new Army Corps of Engineers construction projects** subject to appropriations. Counting the projects' nonfederal shares, it is estimated that the projects' total funding will be at about **\$13 billion**.

The bill is a Corps of Engineers bill only and is trending as a bipartisan effort. No other water programs included such as reauthorization of the CWSRF. The Senate bills, already reported from committee, include non-Corps items (see above). However, of interest is H.R. 1497 (details included in Key Advocates report) which, while a separate bill, will probably link up with the House WRDA bill as it goes to conference, thereby creating a situation where reauthorization of the CWSRF (a high priority for the CWCC) has a good chance of happening.

Among other provisions in the new WRDA is a priority for committee Chairman Peter DeFazio (D-Ore.), language to “unlock” the surplus in the Harbor Maintenance Trust Fund. DeFazio is quoted saying that the bill would allow about \$10 billion in already collected Harbor Maintenance Taxes to be used for port improvements and harbor dredging around the U.S.

WRDA authorizes Corps projects while the Energy and Water Appropriations Bill provides funding. Section 401 includes a list of projects, which we have pulled out and **attached as a PDF to this report**.

Section-by-Section:

<https://transportation.house.gov/imo/media/doc/WRDA%202020%20Section%20by%20Section%20Final.pdf>

Fact Sheet:

https://transportation.house.gov/imo/media/doc/WRDA%202020%20Fact%20Sheet_FINAL-2.pdf



FEDS ADOPT REGULATIONS TO MODERNIZE IMPLEMENTATION OF NEPA

On July 15th, the Trump Administration announced it has finalized the recent NEPA proposal supported by the UTCA. The changes aim to streamline environmental reviews that can take many years to complete. The White House states that these reforms will reduce review time to two years or less.

According to the new proposal, its revisions would modernize the NEPA regulations and facilitate more efficient, effective, and timely NEPA reviews. The proposed changes to NEPA will result in a more expeditious, while still thorough, review process, without impacting existing environmental standards. Projects that trigger NEPA reviews are not put out to bid until its processes (and any litigation) play out. Efforts to streamline and modernize NEPA are long overdue and welcome to the infrastructure construction industry.

As a reminder, CWCC added a policy position to encourage streamlining approvals for infrastructure projects in 2019. Although most water infrastructure projects do not trigger NEPA review, a lot of underground utility work critical to the economic outlook for our members comes alongside transportation projects. Associations engaged in advocacy for energy utility project work and flooding / hardening and/or coastal resiliency should pay close attention to this proposal.

CWCC members supported this proposal with the expectation that streamlined procedures and clearer requirements will allow projects to proceed without sacrificing a thorough and efficient review. We expect that these reforms will lead to more projects moving to bid faster than in the past. This will result in providing for faster and longer-lasting improvements to highway and utility infrastructure in New Jersey and throughout the United States.

[Click Here](#) for the statement from the White House.

KEY ADVOCATES REPORT

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

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