



September 2, 2020

UPDATE ON WATER INFRASTRUCTURE FUNDING

With Congress in recess until after Labor Day, the following update is largely consistent with the report from August. The attached report from Key Advocates includes a full run down of the various vehicles for funding increases to support water infrastructure investment.

The driving factor to any infrastructure bill happening when Congress goes back into session is the pending expiration of the FAST Act (expires on Sept. 30th). As previously reported, 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 - see 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.

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Robert Briant, Jr. – Chairman

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* Steering Committee Member



HOUSE WRDA BILL

Speculation mounts that a WRDA bill may have to wait until the expected lame duck session after the national election in November. A new WRDA bill has been passed every year for the last six years. 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.

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



BE ON THE LOOK OUT – MOU ON VEHICLE EMISSIONS

A Memorandum of Understanding (MOU) has been executed between 15 Northeast states and DC aiming to accelerate the transition to zero-emission trucks and buses through a collaborative process facilitated by the Northeast States for Coordinated Air Use Management (NESCAUM). It is unclear at this time the impact for heavy construction but at a minimum it appears to target trucking. We are sending this around to you all in the event you are in one of these jurisdictions and/or in a jurisdiction that may be involved in a related effort.

A PDF of the MOU is attached to this report.

KEY ADVOCATES REPORT

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

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