



July 15, 2014

The Honorable Bill Shuster
Chairman
House Committee on Transportation
and Infrastructure
Washington, D.C. 20515

The Honorable Nick Rahall
Ranking Member
House Committee on Transportation
and Infrastructure
Washington, D.C. 20515

Dear Chairman Shuster and Ranking Member Rahall:

The Waters Advocacy Coalition (WAC) supports H.R. 5078, the Waters of the United States Regulatory Overreach Protection Act, and urges swift action by the Committee on Transportation and Infrastructure to approve the bill. WAC is an inter-industry coalition representing the nation's construction, real estate, mining, agriculture, forestry, manufacturing, energy sectors, and wildlife conservation interests.

As evidenced at the June 11, 2014, Subcommittee on Water Resources and Environment hearing, there is substantial and significant disagreement between the federal agencies, the states, local governments, and the regulated community about the scope and effect of the "Waters of the United States" (WOTUS) proposed rule jointly published by the Environmental Protection Agency (EPA) and the Corps of Engineers (Corps). The disagreements encompass all aspects of the proposed rule, including whether the proposal is consistent with recent Supreme Court decisions regarding limits to federal jurisdiction, whether the rule reduces or expands federal jurisdiction beyond those waters currently regulated, and the implications of the new definitions that the agencies have incorporated into the proposed rule.

H.R. 5078 would lead to a better rule by requiring the agencies to conduct a transparent, representative, and open consultation with state and local officials to develop a consensus about those waters that should be under federal jurisdiction. Consistent with the Clean Water Act, all other waters would remain under the jurisdiction of the various states where they can appropriately address the diversity and variability of water and land features and how best to protect them.

We believe the course of action contained in the legislation has the potential to lay a foundation for the resolution of this controversial and divisive issue in a way that achieves environmental benefits and ensures 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.

Accordingly, we urge a "yes" vote for H.R. 5078.

Sincerely,

Agricultural Retailers Association
American Exploration & Mining Association
American Farm Bureau Federation

American Forest & Paper Association
American Iron and Steel Institute
American Petroleum Institute
American Public Power Association
American Road & Transportation Builders Association
Associated Builders and Contractors
The Associated General Contractors of America
Association of American Railroads
CropLife America
Edison Electric Institute
The Fertilizer Institute
Florida Sugar Cane League
Foundation for Environmental and Economic Progress (FEEP)
The Independent Petroleum Association of America (IPAA)
Industrial Minerals Association – North America
International Council of Shopping Centers (ICSC)
Irrigation Association
Leading Builders of America
NAIOP, the Commercial Real Estate Development Association
National Association of Home Builders
National Association of Manufacturers
National Association of REALTORS®
National Cattlemen's Beef Association
National Cotton Council
National Council of Farmer Cooperatives
National Industrial Sand Association
National Mining Association
National Multifamily Housing Council
National Pork Producers Council (NPPC)
National Rural Electric Cooperative Association
National Stone, Sand and Gravel Association (NSSGA)
Portland Cement Association
Public Lands Council
Responsible Industry for a Sound Environment (RISE)
Southern Crop Production Association
Treated Wood Council
United Egg Producers
U.S. Chamber of Commerce