



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