

National Waterways Conference Summit March 18th

Good morning. It is a pleasure to be here this morning and have the opportunity to speak with all of you. As Chairman of the Subcommittee on Water Resources and Environment, I am fortunate to be able to work with many of you on water transportation issues. This Congress, my subcommittee will work on WRRDA implementation and continue to investigate and dismantle the EPA & Army Corps proposed Waters of the United States Rule.

WRRDA

You all understand to the importance of maintaining quality water infrastructure. Countless industries rely on all kinds of transportation, especially water, in order to successfully transport through an intermodal system. Water provides an efficient, cost effective way to transport goods through the nation and around the world.

I am proud of the countless reforms in the bipartisan Water Resources Reform and Development Act (WRRDA) that passed the House last year and signed into law by President Obama on June 10, 2014. 412 members supported and only 4 opposed the commonsense bill. WRRDA included necessary reforms to the Army Corps' review process to reduce the study time for a new project from 10-15 years to 3 years and caps the federal cost of feasibility studies at \$3 million. WRRDA streamlines the lengthy and burdensome environmental review process and de-authorizes \$18 billion in inactive projects that are weighing on our budgets. To increase transparency, the Corps will now submit an annual report to Congress detailing projects eligible for authorization by the Transportation Committee. To ensure our ports are dredged and fully operational, WRRDA also sets targets for the Harbor Maintenance Trust Fund to guarantee funds from the Trust Fund actually go toward dredging and maintenance.

WRRDA Implementation

I am disappointed the Corps has not released more implementation guidance for the Committee to review. My subcommittee will be investigating the delays on guidance this year.

WOTUS Rule

The Army Corps of Engineers and U.S. Environmental Protection Agency's proposed rule to redefine 'Waters of the United States' is nothing more than a federal power grab that would have dire consequences on all sectors of American industry. This expansion of ephemeral streams and ditches as well as the connectivity report is a regulatory concern because it creates new requirements for water that was not previously jurisdictional under the Clean Water Act. We all want clean water, but this rule will only cause confusion and costly consequences for homeowners, farmers, state and local governments, etc. The EPA and the Corps have received nearly 1 million comments on the proposed rule, many from state and local governments who are

opposed to the rule. Last Congress, the House passed H.R. 5078, which would have stopped the rulemaking and required the agencies to go back and talk to stakeholders and the states before writing a new rule. In February, the House and Senate transportation and water committees came together to hold a joint hearing on the proposed rule.

Currently, I am working with the Committee to draft a solution to this potentially huge regulatory burden. This is a huge problem for farmers. If a neighboring farmer or homeowner on their watershed that has a Waters of the United States on their land, according to this proposed rule, all homeowners and farmers close to the WOTUS will now be subject to the Clean Water Act based on the connectivity study. Ditches or runoffs that fill with water during heavy rain events and are clearly used for farming practices will now be subject to expensive and costly permits required by the Clean Water Act.

EPA

Later today, my subcommittee will hold a hearing on the President's FY 2016 budget request for the EPA. The President requested \$8.6 billion for the EPA, an increase of \$452 over last year's funding level. I plan to ask about the Waters of the United States proposed rule as well as specific questions regarding their regulatory branches and their costs in mitigating and permitting process.

Army Corps

The President's budget requested \$4.73 billion in funding for the Army Corps of Engineers. Compared to last year's funding level of \$5.5 billion, this request would not provide adequate funding for vital corps programs including navigation projects and dredging. In years past, the House Appropriations Committee has approved funding well above the President's budget request for the Corps. I anticipate this trend will continue.

I appreciate the opportunity to speak with you all today. I look forward to focusing on WRRDA implementation and stopping the WOTUS rule, alongside other important water issues. Now I'm happy to answer any questions you might have. Thank you.