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May 22, 2018

The Honorable Bill Shuster
Chairman
U.S. House Committee on
Transportation & Infrastructure

The Honorable Peter DeFazio
Ranking Member
U.S. House Committee on
Transportation & Infrastructure

RE: H.R. 8, Water Resources Development Act of 2018 Markup

Dear Chairman Shuster and Ranking Member DeFazio:

On behalf of the Associated General Contractors of America (AGC), I would like to thank you for the introduction of H.R. 8, "Water Resources Development Act of 2018," and continuing the biennial passage of a water resources development authorization bill. This bipartisan bill is positive step forward as Congress looks to address our nation's water infrastructure needs. As such, **AGC is supportive of the legislation, but maintains a few reservations we hope to address in the legislative process.**

H.R. 8 authorizes essential construction projects executed by the U.S. Army Corps of Engineers (USACE) that help protect Americans from floods and natural disasters, ensure clean and safe drinking water reaches homes, enable the nation's waterborne commerce to reach harbors on the coasts and inland waterway ports, and restore environmentally sensitive areas of the country. **In particular, AGC strongly supports:**

- Sec. 102 – Use of Harbor Maintenance Trust Fund to support navigation;
- Sec. 108 – Emergency response to natural disasters;
- Sec. 114 – Non-Federal engagement and review; and
- Sec. 116 – Structures and facilities constructed by Secretary.

Additionally, there are amendments to H.R. 8 that we recommend the committee adopt at tomorrow's markup. These amendments include:

- **Amendment 1 (Rep. Shuster)** – This amendment allows for an increase in authorized appropriations for the rehabilitation of USACE constructed dams. This increased authorization for appropriations will help give USACE greater flexibility in quickly and efficiently carrying out the repairs of our nations dams.
- **Amendment 103 (Rep. Lipinski)** – This amendment generates over \$100 million annually of additional funds for the Inland Waterways Trust Fund by depositing ten percent of USACE's generated hydroelectric power revenues into the Inland Waterways Trust Fund. This will assist in helping to pay badly for needed capital improvements to our inland waterway infrastructure system.
- **Amendment 100 (Rep. Lipinski)** – This amendment establishes a publicly accessible website for locating USACE real property. This information will assist in helping non-federal interests and industry determine when it may encounter the need for a Rivers and Harbors Act Section 408 approval and plan accordingly.
- **Amendment 69 (Rep. Lawrence)** – This amendment establishes a skilled trades workforce development program for USACE.
- **Amendment 78 (Rep. Lawrence)** – This amendment adds to a study an assessment of the USACE's existing technology use and the effects of inefficiencies in the current technology used by USACE.

Lastly, **there are provisions that we recommend the committee reconsider as H.R. 8 works its way through the legislative process.** These provisions are:

- Inclusion of the “Securing Required Funding for Water Infrastructure Now Act;”
- Inclusion of the reauthorization of the “Water Infrastructure Finance and Innovation Act of 2014;
- Inclusion of a requirement to automatically appropriate all Inland Waterway Trust Fund revenues; and
- Inclusion of a nationwide merger of the NEPA and Clean Water Act Section 404 permit processes.

Additionally, AGC would like to work with the committee to include regulatory streamlining and transparency items that will help with timely project delivery. Again, thank you for your introduction of the Water Resources Development Act of 2018, and your continued commitment to improving our nation’s water resources infrastructure. We look forward to working with you to improve and secure passage of this important legislation.

Sincerely,

Sean O’Neill
Vice President, Congressional Relations & Infrastructure Advancement
Associated General Contractors of America

CC: House Transportation & Infrastructure Committee Members