

Hicks-Ray Associates

Implementing Strategies, Achieving Success



April 16, 2015

TO: WESTCAS Membership

FROM: Hicks-Ray Associates

SUBJECT: House FY16 Energy and Water Appropriations Bill

Yesterday, the House Energy and Water Appropriations Subcommittee marked up their FY16 bill. This is the measure that funds the US Army Corps of Engineers and the Bureau of Reclamation and is the earliest markup date for this Subcommittee in some time. Yesterday's action signals the continued determination of the House Leadership to have all of its FY16 Appropriations bills passed before the August recess.

Section 105 of the bill is particularly significant:

“None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012 pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) Including the provisions of the rules dated November 13, 1986, and August 25 1993, relating to such jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008 relating to such jurisdiction.”

Similar language is anticipated in the House FY16 Interior and Environment Appropriations bill which funds the USEPA. This language would essentially stop the WOTUS process in its tracks. It will be interesting to see how the Senate deals with this issue.

The FY16 House Energy and Water Appropriations bill goes a long way towards restoring cuts proposed by the Obama Administration for the Corps of Engineers and the Bureau of Reclamation.

Corps Investigations	Corps Construction	Bureau of Rec
FY15 Funding--\$122,000,000	\$1,640,000,000	\$978,131,000
FY16 Request--\$80,000,000	\$1,172,000,000	\$805,200,000
FY16 House--\$110,000,000	\$1,631,000,000	\$948,640,000

[Provided in yesterday's Energy and Water markup]

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