



washington dc update

May 18, 2015

WOTUS Legislation Advances

The United States Congress is beginning to make itself heard on the issue of finalizing the Administration's proposed Rule on Waters of the US [WOTUS]. On May 12, the House of Representatives debated and passed H.R 1732, the Regulatory Integrity Protection Act. This is legislation introduced by Transportation and Infrastructure Committee Chair Bill Shuster requiring both USEPA and the Army Corps of Engineers to withdraw their current WOTUS rule and to only reissue it after a full consultation at the local and state level and only after fully considering economic impacts.

H.R. 1732 passed the full House by a vote of 261 to 155. This includes 237 Republicans and 24 Democrats voting with the majority. Proponents of the legislation would need another 29 "yes" votes in order to make H.R 1732 veto-proof in the House.

Tomorrow at 10:00 AM Eastern Time, the Senate Subcommittee on Fisheries, Water, and Wildlife of the full Committee on Environment and Public Works will hold a hearing on Senator John Barrasso's S. 1140, the "Federal Water Quality Protection Act" which mirrors in many respects H.R. 1732 including instructing the Corps of Engineers/USEPA to withdraw the WOTUS rule. Mark Pifher will be among the five individuals offering testimony. He will be doing so in his capacity as Manager of the Southern Delivery System of the Colorado Springs Utilities. The hearing can be watched on streaming video. Just go to www.epw.gov and follow the instructions.

S. 1132 has 27 co-sponsors to date. It takes 60 votes to move a bill to the Senate floor. Republicans currently hold 54 of the 100 seats so at least six Democrats would have to be persuaded to support the bill before it could be debated before the full Senate.

Both H.R. 1732 and S. 1140 are reminders that we have not heard the last with regard to the WOTUS issue. Expect this issue to heat up even more between now and the end of July when Congress departs for its 5 weeklong summer recess. We hope you are planning to attend and participate in the WESTCAS summer conference, June 17-19 in San Diego because WOTUS will be one of the most important topics of discussion.

