

Hicks-Ray Associates



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TO: WESTCAS Membership

FROM: Fred B. Hicks and Tom Ray

SUBJECT: Water Authorization Bills During the Lame Duck Session of Congress

In an earlier email this week, we remarked that after months of inactivity the wheels of the 112th Congress are beginning to turn once again. A good example was the release last week of a 135 page draft of the Water Resources Development Act by Senator Boxer and her fellow Democrats on the Senate Environment and Public Works Committee.

Senator Boxer followed up with this release by holding a public hearing this morning on the draft. During the hearing she referenced a letter signed by all of the EPW Republican members expressing their willingness to work on a WRDA reauthorization as well.

We have attached this WRDA draft for your review and call you attention especially to Title X towards the end of the document. Title X provides for a Water Infrastructure Financing Innovations Authority [WIFIA] pilot program which would allow both the Environmental Protection Agency and the Army Corps of Engineers to participate in 10 pilot projects funded through a WIFIA.

Earlier this week, Senator Merkley of Oregon introduced a stand-alone WIFIA bill [S. 3626] which we have also attached for your reference.

Many believe that WIFIA-like concepts will be an essential part of the landscape in coming years considering our national financial crisis combined with the pressing need for infrastructure. But most of these concepts would give enormous power to EPA to select the projects to be funded.

The bottom line is that these ideas will have to be fully vetted by the Congress, with input from the stakeholder community. That's where WESTCAS comes in as the voice of water in the Arid West.

Very little in the way of water resources legislation will be finished during the lame duck. But there is a very high probability that the concepts under discussion will find their way into law during the 113th Congress. This is a challenge and a great opportunity for WESTCAS.

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