efforts to convene a meeting during that
time period.

6. If the written appeal does not provide
sufficient information to fully assess an
appeal, the Chair and Ranking Member may
jointly authorize staff to request additional
information from the appellant.

4. In appealing a fine to the Committee,
the appellant may be represented by counsel
at their own expense.

5. Upon receipt of an appeal or a fine, the
Committee will send a letter confirming its
receipt of the appeal and notifying the appel-

9. Members of the Committee will pro-
vide any information needed for consider-
ation of the appeal not later than three days
prior to any meeting in which the appeal will
be considered, whenever possible.

10. The Committee may agree to an appeal
if it determines the fine is (a) arbitrary and
capricious, an abuse of discretion, or other-
wise not consistent with law or with prin-
ciples of fairness; (b) not made consistent
with required procedures; or (c) unsupported
by substantial evidence.

NATIONAL POLLUTANT
DISCHARGE ELIMINATION SYSTEM
(NPDES)

HON. JOHN GARAMENDI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, March 12, 2021

Mr. GARAMENDI. Madam Speaker, today I
reintroduce a noncontroversial amendment to
the Clean Water Act, extending permit terms
for publicly owned water infrastructure projects
under the National Pollutant Discharge Elimi-
nation System (NPDES). I thank my colleague
Congressman Ken Calvert (R–CA) for his
support as the original cosponsor.

This bipartisan bill would simply extend the
NPDES permit term for projects owned by
local public agencies and water districts from
the current 5 up to 10 years. This would en-
courage investment in modern wastewater
treatment facilities by relieving unnecessary,
bureaucratic paperwork and allow regulators
to focus on watershed-scale planning and
water quality standards. This bill is supported
by the National Association of Clean Water
Agencies, National Association of Counties,
United States Conference of Mayors, National
Association of Counties, National League of
Cities, National Water Resources Association,
Association of California Water Agencies, Cali-
ifornia Association of Sanitation Agencies,
WasteReuse Association, and Water Environ-
ment Federation.

The United States has fallen behind many
other developed nations in wastewater infra-
structure, receiving a D+ grade in the Amer-
ican Society of Civil Engineers’ most recent
report card. One reason for this lapse in infra-
structure improvements is arbitrary permitting
timelines imposed by the federal govern-
ment. Permit terms should match the con-
struction timelines and on-the-ground reality
for the projects to which they apply. This is
currently not the case. With over 95 percent of
wastewater infrastructure spending at the local
level, according to the U.S. Conference of
Mayors, lengthening permit terms for local
governments would be one of the most expe-
dituous ways to encourage further investment
in 21st-century wastewater treatment facilities.

Current NPDES permitting under the Clean
Water Act has a maximum term of 5 years, an
aggressive timeline that is impracticable given
construction schedules of local public agen-
cies. As a result, California’s State Water Re-
sources Control Board and Clean Water Act
regulators in other states are overwhelmed
with a backlog of NPDES permitting requests
for existing projects. New public projects are,
likewise, significantly delayed by this unnes-
sary bureaucracy.

My office has identified nearly a dozen
major public projects to modernize wastewater
treatment plants or build water recycling facili-
ties in California delayed by the current 5-year
NPDES term. One such public water recycling
project in a drought-stricken region of southern
California is well into its third NPDES permit
term before even breaking ground on the un-
derlying project. This is just one example
where the arbitrary 5-year term imped-
es public water infrastructure projects that
would advance the stated goals of the Clean
Water Act.

My bill would alleviate this burden by ex-

tending the maximum permit to 10 years, help-
ing local water agencies nationwide better im-
plement the Clean Water Act and literally cut-
ting the permitting backlog in half. Extending
the NPDES permitting term is a practical solu-
tion that allows local agencies to meet the ex-
isting regulatory standards while building pub-
lic water projects that measurably improve
water quality, which after all is the purpose
of the Clean Water Act. NPDES permit terms
for private projects or industrial discharges
would remain at the current 5-year term.

Madam Speaker, I encourage all Members
to cosponsor this bipartisan bill to extend the
maximum NPDES permit term for public water
projects under the Clean Water Act. I plan to
make this commonsense legislation a top pri-
ority in my work on the House Committee on
Transportation and Infrastructure.