

**AMENDMENT TO THE COMMITTEE PRINT
FOR H.R. 1732
OFFERED BY MS. EDWARDS OF MARYLAND**

Strike sections 2 and 3 and insert the following:

1 **SEC. 2. LIMITATION.**

2 The Secretary of the Army and the Administrator of
3 the Environmental Protection Agency are prohibited from
4 implementing any final rule that is based on the proposed
5 rule described in the notice of proposed rule published in
6 the Federal Register entitled “Definition of ‘Waters of the
7 United States’ Under the Clean Water Act” (79 Fed. Reg.
8 22188 (April 21, 2014)) if such final rule—

9 (1) expands the scope of the Federal Water
10 Pollution Control Act (33 U.S.C. 1251 et seq.) be-
11 yond those waterbodies covered prior to the decisions
12 of the United States Supreme Court in *Solid Waste*
13 *Agency of Northern Cook County v. United States*
14 *Army Corps of Engineers*, 531 U.S. 159 (2001), and
15 *Rapanos v. United States*, 547 U.S. 715 (2006);

16 (2) is inconsistent with the judicial opinions of
17 Justice Scalia or Justice Kennedy in *Rapanos v.*
18 *United States*;

1 (3) authorizes Federal Water Pollution Control
2 Act jurisdiction over a waterbody based solely on the
3 presence of migratory birds on such waterbody;

4 (4) increases the regulation of ditches, including
5 roadside ditches, when compared to existing Federal
6 Water Pollution Control Act regulations or guidance;

7 (5) increases the scope of the Federal Water
8 Pollution Control Act with respect to municipal sep-
9 arate sanitary sewer systems, water supply canals,
10 or other water delivery systems;

11 (6) eliminates historical statutory or regulatory
12 exemptions for agriculture, silviculture, or ranching;

13 (7) increases the scope of the Federal Water
14 Pollution Control Act with respect to groundwater or
15 water reuse or recycling projects;

16 (8) requires Federal Water Pollution Control
17 Act regulation of erosional features;

18 (9) requires Federal Water Pollution Control
19 Act permits for land-use activities;

20 (10) requires Federal Water Pollution Control
21 Act regulation of artificial farm and stock ponds,
22 puddles, water on driveways, birdbaths, or play-
23 grounds;

24 (11) is inconsistent with the latest peer-re-
25 viewed scientific studies;

1 (12) was promulgated without consulting with
2 State and local governmental entities; or
3 (13) was promulgated without public notice or
4 comment.

