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

Strike sections 2 and 3 and insert the following:

SEC. 2. LIMITATION.

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

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

(2) is inconsistent with the judicial opinions of Justice Scalia or Justice Kennedy in Rapanos v. United States;
(3) authorizes Federal Water Pollution Control Act jurisdiction over a waterbody based solely on the presence of migratory birds on such waterbody;

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

(5) increases the scope of the Federal Water Pollution Control Act with respect to municipal separate sanitary sewer systems, water supply canals, or other water delivery systems;

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

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

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

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

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

(11) is inconsistent with the latest peer-reviewed scientific studies;
(12) was promulgated without consulting with State and local governmental entities; or
(13) was promulgated without public notice or comment.