



# The House Committee on Transportation & Infrastructure

Ranking Member Rick Larsen

## H.R. XX: “The Clean Water Act of 2023”

Led by T&I Ranking Member Rick Larsen, Subcommittee Ranking Member Grace F. Napolitano,  
Rep. Don Beyer and Rep. Melanie Stansbury

H.R. XX, the Clean Water Act of 2023 undoes the damage from the Supreme Court *Sackett* decision by reinstating the historic and bipartisan, federal-state partnership that has protected our rivers, streams, and wetlands for over 50 years; establishing a clear, level playing field for businesses and industries to thrive while protecting our precious natural resources; and ensuring clean water for our families and future generations.

### Restoring Our Nation’s Clean Water Protections:

- Reaffirms Congress’ commitment to meeting the goal of the 1972 Clean Water Act to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters (Section 2).
- Clarifies the “protected water resources” of the Clean Water Act and reinstates uniform, national protections on the approximately 50% of wetlands and 70% of rivers and streams that lost comprehensive protection because of the Supreme Court’s decision in *Sackett v. EPA* (Section 4).
- Overturns the Supreme Court’s misreading of the statute by reinstating bipartisan Reagan-era definitions of protected waters and wetlands and restoring protections for non-navigable waters (Section 4(1)).
- Maintains and codifies all existing Clean Water Act permitting exemptions (Section 4(1)), including exemptions for:
  - ✓ **agriculture**, including all normal farming, ranching, forestry activities, agricultural stormwater discharges and return flows from irrigated agriculture; prior converted cropland; artificially irrigated areas; and artificial lakes and ponds (including features used for stock watering and irrigation);
  - ✓ **mining and construction related activities**, including excavation pits, settling basins, ditches (including roadside ditches), and swales and erosional features, including gullies and small washes;
  - ✓ **waste treatment systems**, including treatment ponds or lagoons; and
  - ✓ **artificial features**, such as reflecting or swimming pools or other ornamental features.
- Requires the Environmental Protection Agency and the U.S. Army Corps of Engineers to periodically and publicly review Clean Water Act exemptions, using science-based evidence, to ensure the protection of water quality, human health, and the environment (Section 4(1)).

