

H.R. 5983, 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)).