

S 787

Clean Water Restoration Act

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Apr 2, 2009

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 685.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 685. (Dec 10, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/787>

Sponsor

Name: Sen. Feingold, Russell D. [D-WI]

Party: Democratic • **State:** WI • **Chamber:** Senate

Cosponsors (24 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		Apr 2, 2009
Sen. Brown, Sherrod [D-OH]	D · OH		Apr 2, 2009
Sen. Cantwell, Maria [D-WA]	D · WA		Apr 2, 2009
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Apr 2, 2009
Sen. Carper, Thomas R. [D-DE]	D · DE		Apr 2, 2009
Sen. Dodd, Christopher J. [D-CT]	D · CT		Apr 2, 2009
Sen. Durbin, Richard J. [D-IL]	D · IL		Apr 2, 2009
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Apr 2, 2009
Sen. Kerry, John F. [D-MA]	D · MA		Apr 2, 2009
Sen. Kohl, Herb [D-WI]	D · WI		Apr 2, 2009
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Apr 2, 2009
Sen. Leahy, Patrick J. [D-VT]	D · VT		Apr 2, 2009
Sen. Levin, Carl [D-MI]	D · MI		Apr 2, 2009
Sen. Lieberman, Joseph I. [I-CT]	ID · CT		Apr 2, 2009
Sen. Menendez, Robert [D-NJ]	D · NJ		Apr 2, 2009
Sen. Merkley, Jeff [D-OR]	D · OR		Apr 2, 2009
Sen. Reed, Jack [D-RI]	D · RI		Apr 2, 2009
Sen. Sanders, Bernard [I-VT]	I · VT		Apr 2, 2009
Sen. Schumer, Charles E. [D-NY]	D · NY		Apr 2, 2009
Sen. Shaheen, Jeanne [D-NH]	D · NH		Apr 2, 2009
Sen. Stabenow, Debbie [D-MI]	D · MI		Apr 2, 2009
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Apr 2, 2009
Sen. Wyden, Ron [D-OR]	D · OR		Apr 2, 2009
Sen. Kaufman, Edward E. [D-DE]	D · DE		Apr 27, 2009

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Dec 10, 2010

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

No related bills are listed.

Summary (as of Dec 10, 2010)

Clean Water Restoration Act - Reaffirms federal jurisdiction over all waters of the United States and overturns the decisions of the United States Supreme Court in *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers* and *Rapanos v. United States*.

Amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to replace the term "navigable waters" that are subject to such Act with the term "waters of the United States," defined to mean all waters subject to the ebb and flow of the tide, the territorial seas, and all interstate and intrastate waters, including lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, and natural ponds, all tributaries of any of such waters, and all impoundments of the foregoing. Excludes from such term: (1) prior converted cropland; and (2) waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of such Act (other than cooling ponds). Applies the waste treatment systems exclusion only to manmade bodies of water which neither were originally created in waters of the United States (such as disposal areas in wetlands) nor resulted from the impoundment of waters of the United States.

Declares that nothing in such Act affects the authority of the Secretary of the Army or the Administrator of the Environmental Protection Agency (EPA) under the provisions of the Clean Water Act related to discharges: (1) composed entirely of return flows from irrigated agriculture; (2) of stormwater runoff from certain oil, gas, and mining operations composed entirely of flows from precipitation runoff conveyances, which are not contaminated by or in contact with specified materials; (3) of dredged or fill materials resulting from normal farming, silviculture, and ranching activities, from upland soil and water conservation practices, or from activities with respect to which a state has an approved water quality regulatory program; or (4) of dredged or fill materials for the maintenance of currently serviceable structures, the construction or maintenance of farm or stock ponds, irrigation ditches, or farm, forest, or temporary roads for moving mining equipment in accordance with best management practices, or the construction of temporary sedimentation basins on construction sites for which discharges do not include placement of fill material into the waters of the United States.

Requires the Administrator and the Secretary to promulgate regulations to implement this Act within 18 months.

Actions Timeline

- **Dec 10, 2010:** Committee on Environment and Public Works. Reported by Senator Boxer with an amendment in the nature of a substitute. With written report No. 111-361. Minority views filed.
- **Dec 10, 2010:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 685.
- **Jun 18, 2009:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Apr 2, 2009:** Introduced in Senate
- **Apr 2, 2009:** Sponsor introductory remarks on measure. (CR S4317-4318)
- **Apr 2, 2009:** Read twice and referred to the Committee on Environment and Public Works.