

109TH CONGRESS  
1ST SESSION

# H. R. 4541

To amend the Federal Water Pollution Control Act to improve the quality of the waters of the United States in an equitable manner.

---

## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2005

Mr. OBERSTAR (for himself, Mr. FILNER, Mr. VAN HOLLEN, Mr. McDERMOTT, Mr. GRIJALVA, Mr. OWENS, Mr. KILDEE, Mr. SABO, Mr. MCGOVERN, Mr. SANDERS, Mr. ISRAEL, Mr. EVANS, Mr. LEWIS of Georgia, Ms. MCCOLLUM of Minnesota, and Mr. PALLONE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

---

## A BILL

To amend the Federal Water Pollution Control Act to improve the quality of the waters of the United States in an equitable manner.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Clean Lakes, Estu-  
5 aries, and Rivers Act of 2005”.

### 6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) Polluted runoff from precipitation events is  
2           the greatest remaining impediment to the Nation in  
3           meeting the Clean Water Act objective of restoring  
4           and maintaining the chemical, physical, and biological  
5           cal integrity of the Nation's waters.

6           (2) The rate of sediment runoff from construction  
7           sites is typically 10 to 20 times greater than the  
8           rate from agricultural lands and 1,000 to 2,000  
9           times greater than the rate from forest lands.

10          (3) During a short period of time, construction  
11          activities can contribute more sediment to streams  
12          than would otherwise be deposited over several decades,  
13          causing physical and biological harm to the  
14          Nation's waters.

15          (4) Siltation is the second leading cause of  
16          water quality impairment in rivers and streams.

17          (5) Siltation is the third leading cause of water  
18          quality impairment in lakes.

19          (6) Siltation is the leading cause of degraded  
20          wetland integrity.

21          (7) Silt robs water bodies of sunlight, killing  
22          grasses and burying the benthic community.

23          (8) States are developing and implementing  
24          total maximum daily loads for pollutants that impair  
25          water quality, and exempting entire classes of pollu-

1       tion sources from permitting requirements for  
2       stormwater discharges will place an inequitable bur-  
3       den on other sources of siltation.

4           (9) Exempting up to 30,000 oil and gas con-  
5       struction sites annually from permitting require-  
6       ments for stormwater discharges will harm human  
7       health and the environment and impair the ability of  
8       States to address the single largest source of water  
9       quality impairment.

10 **SEC. 3. REPEAL.**

11       Section 502(24) of the Federal Water Pollution Con-  
12       trol Act (33 U.S.C. 1362(24)), relating to the definition  
13       of oil and gas exploration, is repealed.

○