

Mr. GOODLATTE. Mr. Chair, I rise today in support of H.R. 5078, the Waters of the United States Regulatory Overreach Protection Act. In Virginia and the larger Chesapeake Bay watershed we have already seen the Environmental Protection Agency micromanaging state and local water decisions. The EPA's Waters of the U.S. rule expands the regulatory over-reach we have seen in the Bay watershed to the entire United States while imposing even more harmful regulations on even more small streams, creeks, manmade ponds, and nearby wetlands under the agency's control.

Congress intended the states and federal government to implement the Clean Water Act as a federal-state partnership where the states and federal government act as co-regulators. This rule is just another example of EPA forgetting the Clean Water Act's goal of cooperative federalism. The EPA cannot re-write the Clean Water Act and expand their jurisdiction at a whim. Only Congress can grant that authority. Today's vote is an important step to rein in the EPA and protect the farmers, landowners, and local economies that stand to be harmed by this rule.

I urge passage of this important legislation. Protecting America's waterways is critical, but what we need are commonsense policies that will protect water quality without limiting economic growth and unfairly over-regulating local agricultural producers and economies—not more power grabs by the EPA.

H.R. 5078—WATERS OF THE UNITED STATES REGULATORY OVERREACH PROTECTION ACT

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 2014

Ms. CASTOR of Florida. Mr. Speaker, I strongly oppose H.R. 5078, the Waters of the United States Regulatory Overreach Protection Act. I unfortunately missed the vote due to a conflict and had I been present, I would have voted "no." H.R. 5078 would prevent a proposed rule to protect clean water from taking effect and continue to give polluters a free pass.

Two Supreme Court decisions in 2001 and 2006 resulted in confusion and uncertainty about which bodies of water are subject to federal jurisdiction under the Clean Water Act, creating a loophole. This led the Bush Administration to issue guidance for regulated communities, but instead created the currently inconsistent, patchwork system. The proposed rule replaces the Bush Administration era guidance documents to reduce regulatory uncertainty and establish a clear process for asserting Clean Water Act jurisdiction over waters.

The proposed rule closes the loophole by clarifying federal jurisdiction to protect America's waters and does not seek to regulate bodies of water which have not historically been regulated under the Clean Water Act. In fact, the rule proposes to exclude ephemeral and intermittent ditches while maintaining historical exclusions and exemptions for agriculture. The rule also provides clarity about which wetlands are covered by the Clean Water Act. The rule would also prevent the

agencies from moving forward with any similar rule or guidance regarding the scope and enforcement of the Clean Water Act. According to a Tampa Bay Times editorial in support of the rule, "the EPA estimates that the marginal costs of implementing the rule would generate about double the return in benefits to public health, flood control and the economy."

Federal regulations to close the existing loophole and protect water quality are especially important to my home state of Florida which depends on a healthy environment for a prosperous economy. As the loophole stands, nearly 30 percent of Florida's streams and millions of wetlands are at risk of unchecked pollution and development and threatens the drinking water for 1.7 Floridians. More than 80 percent of the lakes and reservoirs that have been tested in Florida have failed basic water quality standards. Densely populated Hillsborough County, where my district is located, ranks first in Florida for miles of streams unprotected by the Clean Water Act. The rule would improve Florida's waters by closing the existing loophole. Unfortunately, this piece of legislation before us would prevent the government from cleaning our polluted waters. The President threatened to veto this legislation for good reason, noting that "this bill is not an act of good government."

Millions of Americans get their drinking water from rivers, lakes, and reservoirs that are at risk of pollution from upstream sources. In Florida, several rivers, including the Apalachicola, Choctawhatchee, Suwannee and Escambia Rivers have their headwaters in other states. Floridians are directly affected by upstream degradation to the quality of these rivers before they enter our state. Major pollution from the Mississippi River and other out of state factors have severely harmed the Apalachicola Bay and consequently the northwest Florida economy where the sponsor's district is located.

Florida's economy is inextricably linked to a healthy environment, particularly its bodies of water and the wetlands those waters rely on. Wetlands, rich in biodiversity, provide services that are critical for drinking water, water quality, water supply, groundwater recharge, flood control, recreation such as fishing, and habitat for threatened and endangered species. Florida, the state with the most wetlands in the continental United States, has already lost half its historic wetlands acreage due to degradation and continues to do so.

Florida's and the Gulf of Mexico's waters are poisoned every year by more than 4 billion gallons of oil, fertilizer ingredients and other hazardous materials. Tampa Bay, the largest open water estuary on the Gulf, is also fouled by other sources, with more than half of the nitrogen entering it coming from urban stormwater runoff that carries lawn fertilizer, pesticide residues, and trash. Pollution throughout Florida's waterways has led to record amounts of toxic red tide and algae blooms which are created by nutrients from farm fertilizers. Scientists theorize that algae and red tide have contributed to the record deaths of 10 percent of the Florida manatee population over the past year. Likely due to red tide, pollution has resulted in an unprecedented number of deaths of dolphins and pelicans.

Pollution costs Floridians billions of dollars each year. Sustainable water supplies are at risk in Florida due to the loss of natural sys-

tems. The rule is needed to restore protections for streams and wetlands across the country. Florida's economy and public health depend on clean water.

I would like to submit a list of the members of the Florida Conservation Coalition. The Coalition is composed of over 50 conservation organizations and thousands of individuals devoted to protecting and conserving Florida's land, fish and wildlife and water resources and it strongly opposes this piece of legislation.

FLORIDA CONSERVATION COALITION

Bob Graham, Fmr Governor of Florida and U.S. Senator; Nathaniel Pryor Reed, Fmr Assistant-Secretary of the Interior; Commissioner Lee Constantine—Seminole County Commissioner; Audubon Florida; Audubon of Southwest Florida; Conservancy of Southwest Florida; Florida Wildlife Federation; Friends of the Everglades; National Parks Conservation Association; Peace River Audubon Society; Sierra Club; South Florida Audubon Society.

League of Women Voters; 1000 Friends of Florida; St. Johns Riverkeeper; Trust for Public Land; Lester Abberger; John Finlayson—Former Chairman SRWMD; Bill Herr, Environmental Consultant, Former Chairman SJRWMD; Gary Kuhl, Former Exec Director, SWFWMD; Jay Landers, Fmr Secretary of the Department of Environmental Protection; Sonny Vergara, Fmr Executive Director SWFWMD and SJRWMD; Estus Whitfield, Fmr Principal Environmental Advisor to 5 FL Governors.

Affiliates:

Alliance of Florida Land Trust; Alliance to Protect Water Resources, Inc.; Back Ten Feet; Caloosahatchee River Citizens Association; Center for Earth Jurisprudence; Citrus County Audubon Society; Citrus County Council; Conservation Trust for America; Coral Gables Area Democratic Club; Current Problems; Dade City Garden Club.

Defenders of Wildlife; Duval Audubon Society; Estero Council of Community Leaders; EarthJustice; Florida Consumer Action Network; Florida Conservation Alliance; Florida's Eden; Florida Defenders of the Environment; Florida Native Plant Society; Florida Federation of Garden Clubs; Florida Trail Association; Florida Outdoor Recreation Coalition.

Friends of the Wekiva River; Florida Wildflower Foundation; Great Old Broads for Wilderness; Gulf Restoration Network; Ideas For Us; Lake Area Water Alliance; Homosassa River Alliance; Martin County Conservation Alliance; North Florida Land Trust; Paddle Florida; Rainbow River Conservation, Inc.

Santa Fe Lake Dwellers Association; Save Our Suwannee; Save the Manatee Club; Silver Springs Alliance; Suwannee River Garden Club; Southwest Florida Watershed Council; St. Johns River Alliance; The Conservation Fund; United Waterfowlers—Florida; Wildlands Conservation; Wakulla Springs Alliance; War, Inc.; Wildwood Preservation Society.

RAISING THE MINIMUM WAGE AND HELPING WORKING AMERICANS

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 10, 2014

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to recognize the millions of hard-working men and women in America today who are barely making ends meet, living paycheck to paycheck, and how this chamber can