

AMENDMENT TO H.R. 4278
OFFERED BY MS. EDWARDS OF MARYLAND

Page 2, after line 11, add the following new section:

1 **SEC. 3. PROTECTION OF HUNTING AND FISHING RE-**
2 **SOURCES AND IRRIGATED AGRICULTURE.**

3 Section 404(f) of such Act is further amended by
4 adding at the end the following new paragraph:

5 “(3) Any discharge of dredged or fill material
6 into the navigable waters incidental to any activity
7 having as its purpose bringing an area of the navi-
8 gable waters into a use to which it was not pre-
9 viously subject, where the flow or circulation of navi-
10 gable waters may be impaired or the reach of such
11 waters be reduced, shall be required to have a per-
12 mit under this section if the Secretary, in coordina-
13 tion with the Administrator, determines that such
14 discharge will have an adverse impact on—

15 “(A) the protection and propagation of
16 fish, shellfish, and wildlife related to commer-
17 cial or recreational activities (including hunting
18 and fishing) and related outdoor activities; or

1 “(B) the quality or availability of water
2 used for agricultural or other commercial pur-
3 poses.”.

