

PENNSYLVANIA CAMPAIGN FOR CLEAN WATER

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US House of Representatives
Washington DC 20515

Dear Representatives:

On behalf of the undersigned organizations working to keep our drinking water safe and our lakes, rivers and streams clean, we urge you to sign on as an original co-sponsor of the **Clean Water Authority Restoration Act of 2007**. This legislation, which is needed to protect the nation's waters from pollution, will soon be reintroduced in the 110th Congress by Senator Russ Feingold/Representatives Oberstar, Dingell and Ehlers.

The bill would reaffirm the historical jurisdiction of the 1972 Clean Water Act and ensure all "waters of the United States" that have been covered by federal safeguards against pollution for more than 34 years retain Clean Water Act protection. This bill does not create "new" protective authority, but simply restores the regulatory status quo. The bill is needed because decisions by the Supreme Court over the past few years (Rapanos/Carabell 2006; SWANCC 2001) and administrative actions by the Environmental Protection Agency and Army Corps of Engineers have muddied the waters regarding the jurisdiction of the Clean Water Act, making this bill critically important now.

Waters most at risk of losing federal protections because of these actions include small and seasonal streams and rivers, and nearby wetlands. These waters provide critical ecosystem services. According to information provided by U.S. EPA in 2006, 59 percent of streams and rivers in Pennsylvania, measured in miles, are potentially at risk of losing protection.¹ The EPA has estimated that water protection areas containing these small or intermittent streams and rivers provide water to public drinking water supplies serving over 7.9 million, or 65 percent, of the Commonwealth's citizens².

Pennsylvania's vernal pools and small, forested wetlands, are also of special concern. Vernal pools are exceptionally important ecologically, as the essential breeding habitat for several of Pennsylvania's amphibian species. And small, forested wetlands and other depressional wetlands perform important flood storage and water quality improvement functions that help to maintain healthy watershed conditions.

¹ Letter from Ben Grumbles, Assistant Administrator for Water, Environmental Protection Agency, to Jeanne Christie, Executive Director, Association of State Wetland Managers, January 9, 2005 (sic).

² Ibid.

Although state-level regulations under the Clean Streams Law and Dam Safety and Encroachments Act apply to Pennsylvania's wetlands, federal Clean Water Act protection serves as a critically important underpinning, ensuring that the protections are effectively and comprehensively applied. And small, headwater streams are especially vulnerable to pollution and filling as a result of voids in state-level protections.

The Clean Water Authority Restoration Act (CWARA) will return us, in Pennsylvania and throughout the country, to the path toward further progress in cleaning up the nation's waters and making them safe and clean.

Please become an original cosponsor of the Clean Water Authority Restoration Act.

Thank you for supporting clean water.

Sincerely yours,

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