



**News for Immediate Release**

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## **New Clean Water Rule Will Protect Streams, Wetlands and Benefit Economy**

*Sportsmen's groups applaud action to restore protections  
for waters, valuable fish and wildlife habitat*

WASHINGTON – Today, the U.S. Army Corps of Engineers and Environmental Protection Agency jointly released a proposed rule that would clearly define which streams and wetlands are protected by the Clean Water Act. This action would begin restoring longstanding protections to many of the nation's wetlands, streams and lakes, conserving critical fish and wildlife habitat and providing flood control, cleaner drinking water and a host of other benefits.

Several leading sportsmen's organizations – the [American Fly Fishing Trade Association](#), [Berkley Conservation Institute](#), [Izaak Walton League of America](#), [National Wildlife Federation](#), [Theodore Roosevelt Conservation Partnership](#), [Trout Unlimited](#) and [Wildlife Management Institute](#) – applauded the release of the proposed rule, saying that it would better protect important habitats for fish and wildlife.

“We are pleased the administration has taken this crucial step to provide clarity and certainty to landowners, conservationists and businesses regarding waters of the United States,” said TRCP President and CEO Whit Fosburgh. “Long overdue, this action restores some – but not all – Clean Water Act protections to these critical resources, conserving healthy habitat, upholding water quality and supporting the sporting traditions that tens of millions of Americans enjoy.”

“This is a huge step forward for protecting America's waters and wildlife,” said Larry Schweiger, NWF president and CEO. “We simply cannot protect our rivers, lakes and bays without protecting the many small streams and wetlands that feed into them. Drinking water supplies for more than one-third of Americans will be safer once this rule is put into place.”

Together with administrative guidance issued in 2003 and 2008, two Supreme Court decisions in the 2000s removed Clean Water Act protections for at least 20 million acres of wetlands, particularly prairie potholes and other seasonal wetlands essential to waterfowl populations

throughout the country. Intermittent streams that provide critical habitat for fish, especially trout, and feed into the public drinking water systems for more than 117 million Americans also were put at increased risk of pollution and destruction.

“Many of these small waters provide vital spawning and rearing habitat for trout and salmon. Simply stated, the proposal will make fishing better,” said TU President and CEO Chris Wood. “Restoring protections to these waters ensures healthy habitat for fish and a bright future for anglers.”

According to the U.S. Fish and Wildlife Service, the rate of wetlands loss accelerated by 140 percent from 2004 to 2009, the years immediately after the Supreme Court rulings.

“The economic benefits to the United States from these wetlands and streams are staggering,” said AFFTA president Ben Bulis. “For example, direct spending on hunting and fishing totals \$86 billion each year in the United States, which ripples through the economy, generating \$200 billion in total economic activity annually.”

The wording of the two Supreme Court decisions left state and federal regulators, landowners and manufacturers confused about which U.S. waters are protected by the Clean Water Act.

“In a measured response to the Supreme Court’s decisions, the proposed rule will provide the clear direction necessary to conserve the nation’s wetlands and streams,” said WMI President Steve Williams. “In addition, it provides practical and necessary exclusions for farming and forestry activities. The rule recognizes the essential value of clean water for our nation’s citizens and our fish and wildlife resources.”

“The proposed rule takes a moderate approach – based on the best available peer-reviewed scientific evidence – that falls within the limits of the Supreme Court decisions,” said Scott Kovarovics, executive director of the IWLA. “It preserves the existing exemptions for farming, forestry, mining and other land use activities, such as the exemption in the existing regulation for many wetlands converted to cropland prior to 1985, as well as exemptions written into the Clean Water Act itself that cannot be changed by administrative action.”

The rule also for the first time explicitly excludes many upland water features important for farming and forestry, such as

- upland drainage ditches with no more than ephemeral water flows;
- artificially irrigated areas that would revert to upland should irrigation cease;
- artificial lakes or ponds used for purposes such as stock watering;
- artificial ornamental waters created for primarily aesthetic reasons; and
- water-filled depressions created as a result of construction activity.

“All sides of this debate and the Supreme Court have said a rulemaking is necessary to give regulators and the regulated community certainty as well as fulfill the Clean Water Act’s goal of ensuring fishable and swimmable waters,” said TRCP Center for Water Resources Director Jimmy Hague. “Now that the proposed rule is public, we can finally have this discussion based

on fact and go about the process of restoring Clean Water Act protections to waters upon which America's hunters and anglers rely.”

“We are glad to have the Clean Water Act protections for our lakes, rivers and streams clarified to end the confusion,” said Jim Martin, conservation director of the Berkley Conservation Institute. “It simply makes no sense for the taxpayers to pay millions to clean up waters that were polluted, flooded and damaged when it makes the most sense to protect them in the first place.”

[Learn more about the draft rule released today.](#)

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***Inspired by the legacy of Theodore Roosevelt, the TRCP is a coalition of organizations and grassroots partners working together to preserve the traditions of hunting and fishing.***

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