



Senate Moves to Restore Strong Protections for America's Waters

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Washington, DC (June 18, 2009) – The National Wildlife Federation today praised Chairman Barbara Boxer (D-CA) and the members of the Environment and Public Works Committee who voted today to restore Clean Water Act protections for all of the nation’s lakes, streams and wetlands. The Committee voted 12 to 7 to advance an amended S. 787, the Clean Water Restoration Act to the full Senate.

“America’s waters are closer to again having the comprehensive Clean Water Act protections that Congress intended,” said Jan Goldman-Carter, Wetlands and Water Resources Counsel, National Wildlife Federation. “This bill restores critical protections for our nation’s increasingly-precious fresh water resources while respecting private property rights and continuing longstanding Clean Water Act exemptions for agriculture and forestry.”

The Clean Water Restoration Act would clarify Congress’ intent to extend Clean Water Act protections to all the nation’s wetlands, streams and other waters. Supreme Court decisions in 2001 (*SWANCC v. Army Corps of Engineers*) and 2006 (*Rapanos v. United States*) threatened Clean Water Act protections for thousands of miles of streams and rivers and millions of acres of wetlands. These legal decisions and federal agency guidance to implement them have created confusion and uncertainty nationwide, undermining efforts to enforce the Clean Water Act. This has left millions of acres of waters vulnerable to pollution and destruction, and has creating long delays in obtaining permits for work in wetlands and other waters due to confusion over the scope of the Act’s protections.

Senators Baucus (D-MT), Klobuchar (D-MN) and Boxer clarified through an amendment to the bill that broad, existing Clean Water Act exemptions for agriculture and forestry were to be retained. While other amendments to create new and broader exemptions for agricultural pollution were offered, none were accepted by the committee.

“The bill, as amended today, represents a balanced approach to ensuring the integrity of the nation’s waters into the future,” said Jim Murphy, Wetlands and Water Resources Counsel, National Wildlife Federation.

According to the U.S. Environmental Protection Agency, 59 percent of stream miles in the continental U.S. are intermittent or ephemeral and many of these have been losing Clean Water Act protection since 2006. These streams provide important drinking water, flood control, and aquatic habitat functions. An estimated 20 million acres of wetlands – or 20 percent of all remaining wetlands in the lower 48 states – are already losing Clean Water Act protection, and many more are at risk. EPA estimates that more than 110 million Americans get their drinking water from public supplies fed in whole or in part by intermittent or ephemeral streams vulnerable to pollution under these decisions.

“Today was the first step for this important bill. Now the full Senate and the House of Representatives need to finish the job and ensure the health of our nation’s wetlands, lakes and streams for current and future generations of both wildlife and people,” said Goldman-Carter.

The National Wildlife Federation inspires Americans to protect wildlife for our children’s future.

Immediate Release: June 18, 2009

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