



Healing Our Waters-Great Lakes Coalition

January 11, 2016

Dear Representative:

On behalf of the Healing Our Waters-Great Lakes Coalition, I ask you to vote against S.J. Res. 22.

The U.S. Environmental Protection Agency and Army Corps have spent years talking to the public, including state and local governments, about providing clarity to which water bodies will be covered by federal law. After being asked to propose a rule by stakeholders from all sides, the EPA and Army Corps did so after receiving nearly one million comments regarding what they proposed. Many of these comments suggested substantive changes on how to define what a water of the United States is. The EPA and Army Corps incorporated many of the suggestions in the rule finalized last year.

S.J. Res. 22 stops these clean water protections from going into force. More radically, it prohibits the EPA and Army Corps from proposing anything that would be substantially the same as what has already been developed after years of deliberation.

For years the Clean Water Act protected all wetlands and tributaries in and around the Great Lakes. However, Supreme Court decisions in 2001 (SWANCC) and 2006 (Rapanos) left many of these wetlands, small streams, and lakes at increased risk of being polluted and destroyed. This lack of protection in particular left intermittent and headwater streams vulnerable to pollution and adjacent wetlands open to be filled and destroyed. Half of the streams in Great Lakes states do not flow all year, putting them, and adjacent wetlands, at risk of increased pollution and destruction. Over 117 million Americans get their drinking water from surface waters, including nearly 37 million people in Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Pennsylvania, and New York. More importantly, 83 percent of the population in Great Lakes states are dependent on public drinking water systems that rely in intermittent, ephemeral, and headwater streams.

Protecting and restoring wetlands and streams is critical to the restoration and protection of the Great Lakes. According to a review of more than a thousand publications from peer-reviewed scientific literature conducted by an EPA Science Advisory Board, streams, tributaries (e.g., headwater, intermittent, ephemeral), and wetlands are connected to downstream waters. The science overwhelmingly concludes that upstream waters in tributaries (intermittent, ephemeral, etc.) exert strong influence on the physical, biological, and chemical integrity of downstream waters. Common sense also tells us this is true. Pollution in a tributary is carried downriver into bigger and bigger waterways. Upstream waters also feed water to Great Lakes rivers and streams.

We need clean water protections now for our Great Lakes. Wetlands and tributaries provide vital habitat to wildlife, waterfowl, and fish; reduce flooding; provide clean water for hunting, fishing, swimming, and paddling; and serve as the source of drinking water for millions of Americans. Healthy waters around the Great Lakes also fuel tourism and other industries that sustain jobs because of clean Great Lakes water. The Clean Water Rule is an important part of our Great Lakes restoration efforts.

Please vote against S.J. Res. 22. For more information about our Coalition's position, please contact Chad Lord at (202) 454-3385 or clord@npca.org.

Sincerely,

Todd Ambs
Coalition Director