



January 11, 2016

Dear Representative:

The availability of clean water is vital to our country and our national parks. On behalf of the National Parks Conservation Association (NPCA) and our over one million members and supporters, I ask you to vote against H.R. 1644 and S.J.Res. 22.

National parks are inseparable from the waters that are in, surround, and flow through them. Because many park waters originate on lands outside of park boundaries, where beyond boundary activities impact park water quality and availability, the National Park Service often relies on the Environmental Protection Agency and U.S. Army Corps of Engineers to exercise their Clean Water Act (CWA) authority to prevent impairment of park waters.

The Clean Water Rule, which was finished last year, helps protect national park waters by providing a clearer and more predictable science-based and legal framework for determining which waters are protected by the CWA. For over 14 years, Supreme Court decisions and agency guidance created regulatory confusion over the protected status of waters that crucially affect water quality in parks. This current clarification of the CWA's jurisdiction is important for parks because many of the waters that are at risk from jurisdictional confusion significantly impact the quality of park waters. Small and seasonal networks of headwater, intermittent, and ephemeral streams often overlap park boundaries and strongly influence the biological, chemical, and physical integrity of park ecosystems. Additionally, larger downstream park units are vulnerable to pollution from activities upstream. Shoreline parks also suffer from water quality issues that emerge inland, often from small and upstream waters that could lose their protection if no action is taken to clarify the CWA's scope.

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

H.R. 1644 also undoes years of work focused on protecting waters in the Southeast. Some of our most beautiful national parks – Big South Fork National River and Recreation Area, Bluestone National Scenic River, New River Gorge National River – and their visitors are impacted when streams are completely ruined after mining companies remove mountaintops and dump them into the nearest valley. The Stream Protection Rule, which this bill affects, proposes much-needed revisions to regulations for these coal mining operations.

Mountaintop removal mining in Appalachia and surface coal mining have devastated both the thriving natural ecosystems of the Appalachian Mountains as well as entire communities. Mountaintop removal mining generates some of the most damaging, large-scale environmental impacts of any industrial activity in the country. It is responsible for the destruction of over 500

mountains and approximately 2,000 miles of stream channels across Central Appalachia. The current regulations have been inadequate to prevent this ongoing, massive devastation. They must be reformed.

NPCA supports the Stream Protection Rule. The proposed Stream Protection Rule is essential to protect park waters in mining regions and to ensure that communities will have viable economies after the resource is extracted and mining ceases. It is essential to the long term well-being of our coal regions. DOI's careful and rigorous analysis of impacts on jobs in mining regions indicates that it would have a minimal effect.

Instead of recognizing the benefits of the Stream Protection Rule, the House is poised to pass H.R. 1644, legislation that would prevent, or at the very least delay, this important rule from being finalized.

We need clean water protections now for our national parks. Please vote against H.R. 1644 and S.J. Res. 22. NPCA considers these significant votes to protect America's priceless heritage found in and around the National Park System, and may use them in our biennial "Friend of the National Parks" scorecard for the 114th Congress. Please do not hesitate to contact me at 202.454.3385 or clord@npca.org with questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad W. Lord".

Chad W. Lord
Senior Director, Water Policy