



THE WILDLIFE SOCIETY

Leaders in Wildlife Science, Management and Conservation

21 May 2015

The Honorable Dan Sullivan
Chairman
Subcommittee on Fisheries, Water, and Wildlife
Committee on Environment and Public Works
U.S. Senate
Washington, D.C. 20510

The Honorable Sheldon Whitehouse
Ranking Member
Subcommittee on Fisheries, Water, and Wildlife
Committee on Environment and Public Works
U.S. Senate
Washington, D.C. 20510

Re: Opposition of S. 1140, Legislation Blocking the Clean Water Rule

Chairman Sullivan and Ranking Member Whitehouse:

The Wildlife Society strongly opposes S.1140, the “Federal Water Quality Protection Act,” which would disrupt a rulemaking process to clarify the Clean Water Act just weeks before its finalization.

The Wildlife Society was founded in 1937 and is a non-profit scientific and educational association of more than 9,000 professional wildlife biologists and managers, dedicated to excellence in wildlife stewardship through science and education. Our mission is to inspire, empower, and enable wildlife professionals to sustain wildlife populations and habitats through science-based management and conservation.

The Wildlife Society is supportive of the Environmental Protection Agency’s and Army Corps of Engineers’ efforts to clarify protection for streams and wetlands using an approach fundamentally based in the best-available science. S.1140 would block agencies from clarifying the Clean Water Act, extending the current confusion created by a series of Supreme Court decisions that puts fish and wildlife habitat at risk indefinitely. The bill also eliminates federal protections for waters covered by the Clean Water Act by making it more difficult to protect headwater streams and eliminating protection for “isolated” waters, many of which are utilized by wildlife and waterfowl as primary breeding grounds.

The Wildlife Society was among the nearly 900,000 members of the public to provide comments on the proposed Waters of the United States rule during the agencies’ transparent rulemaking process. The 400 stakeholder meetings and extended public comment period has provided the agencies with sufficient stakeholder engagement and review of scientifically-defensible foundation of the finalized rule that would better protect America’s waters. S.1140’s consultation requirements are an unnecessary legislative delay in the rulemaking process, which has already thoroughly solicited public and stakeholder involvement.

The ecological integrity, health, and welfare of all aquatic and wetland habitats is dependent on the use of the best available science to develop policies and rules protecting and managing our landscapes. This rule has been informed through an extensive review of peer-reviewed literature of wetlands and hydrologic science and from comments, including those from organizations such

as our own, to more comprehensively clarify protection on interconnected water systems within the landscape.

The goals of the Clean Water Act cannot be met without being firmly rooted in the physical, chemical, and biological principles associated with rivers, wetlands, and other water bodies. We strongly urge the committee to oppose S.1140, thereby allowing the finalized rulemaking that would restore longstanding protections to wetlands and headwaters to move forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Baydack". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Rick Baydack, President

CC: Environment and Public Works Subcommittee on Fisheries, Water, and Wildlife