



CLEAN WATER AT A CROSSROADS

Congress Must Reverse Supreme Court Threats
to Drinking Water, Fish, and Wildlife

BY SCOTT KOVAROVICS AND JAN GOLDMAN-CARTER



Burning rivers. Lifeless lakes. When Congress passed the Clean Water Act in 1972, the threats to water quality were obvious. Today, the threats are more subtle — but the impact is just as real. And once again, Congress must lead to safeguard clean water for generations to come.

WE'RE FORTUNATE THAT MOST AMERICANS DON'T REMEMBER how dirty our waters once were: When rivers were open sewers or ran the color of dye being used at a textile mill. Or when wetlands were drained and filled almost without limit. Yet it wasn't that long ago that the Cuyahoga River in Cleveland literally caught fire when an oil slick was ignited and burned for half an hour (the river had burned at least nine times before this incident in 1969). In the 1960s, Lake Erie was declared "dead" because pollution-fueled algae and plant growth stripped most of the oxygen from the water.

These events and others galvanized the American people to act, and in 1972, Congress passed the Clean Water Act (CWA). Over the next 30 years, this landmark law along with complementary state laws and billions of dollars in public and private investment in water treatment produced significant, steady improvement in U.S. water quality. Today we take clean water for granted. Most Americans don't hesitate to turn on the tap for a drink or think twice about enjoying a summer day canoeing on a local lake. We enjoy fishing and duck hunting trips because clean water ensures healthy habitats, producing abundant game populations.

Yet much of that is at risk today.

Over the past decade, the U.S. Supreme Court issued two decisions that strike at the heart of the Clean Water Act. Taken together, these decisions threaten the streams, lakes, wetlands, and other waters that supply the water we drink; support hunting, fishing, boating, and other types of outdoor recreation; and are essential to our country's economic health.

Only Congress has the authority to turn back the Supreme Court's damaging decisions by passing legislation that reaffirms the original goals of the Clean Water Act. Only Congress can make clear to the courts, federal agencies, and the American people that the streams flowing into our reservoirs, the wetlands that reduce flooding and recharge groundwater, and the habitats that are vital to fish and wildlife have been — and remain — protected by the Clean Water Act.

Burning Need for Federal Clean Water Legislation

When Congress convened in the early 1970s to address the burning Cuyahoga River and the biological collapse of Lake Erie, it was clear that relying on state laws alone to ensure water quality was ineffective. A more comprehensive framework was needed to clean up the nation's waters. In 1972, Congress passed the Federal Water Pollution Control Act, now known as the Clean Water Act. The very first section of the law enshrined its core purpose: "The objective of this Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters."

In describing the waters covered by the law, Congress used the term "navigable waters," defined as "waters of the United States, including the territorial seas." The definition is — and was intended to be — very broad. Unfortunately, the short-hand use of "navigable waters" throughout the law has led to debate about — and ultimately moves to narrow — the types of waters protected by the law.

In a 1972 floor statement, Michigan Congressman John Dingell, Clean Water Act champion then and now, explained that lawmakers' use of the term "navigable waters" was not intended to limit the Act to aiding navigation:

"[The] conference bill defines the term 'navigable waters' broadly for water quality purposes. It means all 'the waters of the United States' in a geographical sense. It does not mean 'navigable waters of the United States' in the technical sense as we sometimes see in some laws. The new and broader definition is in line with more recent judicial opinions which have substantially expanded that limited view of navigability.... Indeed, the conference report states on page 144: 'The conferees fully intend that the term navigable waters be given the broadest possible constitutional interpretation'"

Congressional intent to broadly protect U.S. waters was reaffirmed in 1977 when an attempt to narrow the scope of the CWA to waters that historically supported navigation by boat and their adjacent wetlands was hotly debated and ultimately defeated. Even Texas Senator Lloyd Bentsen, author of the narrowing amendment, acknowledged after the defeat that the Clean Water Act "would still cover all waters of the United States, including small streams, ponds, isolated marshes, and intermittently flowing gullies."

Tennessee Senator Howard Baker's 1977 floor statement rings as true today as it did at the time:

"It is important to understand that toxic substances threaten the aquatic environment when discharged into small streams or into major waterways. Similarly, pollutants are available to degrade water and attendant biota when discharged in marshes and swamps.... Continuation of the comprehensive coverage of this program is essential for the protection of the aquatic environment. The once seemingly separable types of aquatic systems are, we now know, interrelated and interdependent. We cannot expect to preserve the remaining qualities of our water resources without providing appropriate protection for the entire resource."

Following the Congressional debate, the Army Corps of Engineers and Environmental Protection Agency (EPA) developed

regulations defining "waters of the United States" as most natural surface waters to fulfill the Act's purpose of restoring and maintaining the chemical, physical, and biological integrity of the nation's waters.

The U.S. Supreme Court affirmed this definition of "waters of the United States" — and the broad purpose of the Clean Water Act — in its 1985 *United States v. Riverside Bayview Homes* decision. The Court found the term "navigable" in the Clean Water Act to be of "limited import" (emphasis added) in light of the water quality goals of the Act and upheld the Corps' regulation of wetlands adjacent to other waters. The Court acknowledged the important role of wetlands to "filter and purify water draining into adjacent bodies of water . . . to slow the flow of surface runoff into lakes, rivers, and streams and thus prevent flooding and erosion" and to "serve significant biological functions, including food chain production, general habitat, and nesting, spawning, rearing, and resting sites for aquatic . . . species." The Supreme Court also confirmed in its 1987 *International Paper Co. v. Ouellette* decision that the Clean Water Act protected "virtually all bodies of water."

Supreme Court Strikes Two Blows Against Water Quality

Nearly 30 years of Clean Water Act protections began to unravel in 2001 when a sharply divided Supreme Court gave new weight to the term "navigable" and ruled that it limited the scope of the CWA. In *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers*, the Supreme Court held that the Corps could not assert CWA jurisdiction over certain geographically isolated ponds based only on their use by migratory birds. Limited though it was, the SWANCC decision created confusion and uncertainty regarding the scope of the Clean Water Act, particularly with respect to geographically isolated waters such as prairie potholes in the Upper Midwest (wetland depressions that fill with water, usually in the spring and early summer).

Determining what qualifies as "waters of the United States" went from confusing after SWANCC to downright absurd after the Supreme Court's 2006 *Rapanos v. United States* decision. In *Rapanos*, Supreme Court justices split into three different camps and issued five different opinions — without coming to any clear agreement on the definition of "waters of the United States." While four justices upheld broad CWA protection of waters, four others fixated on the term "navigable" to call into question whether certain wetlands next to non-navigable tributaries were subject to CWA protections. These justices argued that the Clean Water Act protects only "relatively permanent" waters connected to waters that were historically navigable by boat, along with wetlands with a "continuous surface connection" to other protected waters. The ninth justice, Justice Kennedy, disagreed wholeheartedly with this restrictive view but also gave "navigable" more weight than Congress intended by requiring that certain wetlands have a "significant nexus" (a close connection) to traditionally navigable waters to qualify for CWA protections.

This mix of opinions has been particularly confusing for federal agencies and courts tasked with enforcing the Clean Water Act. After decades of clarity, these Supreme Court decisions created many questions but few answers concerning the specific waters protected by the law.



PROTECTED OR NOT? The Supreme Court created confusion regarding the scope of the Clean Water Act and which wetlands it protects. Instructions issued in 2003 following the SWANCC decision broadly maintained that isolated waters, including as many as 20 million acres of prairie potholes (pictured at right) and other wetlands, were not likely protected by the Clean Water Act.

The damage and confusion caused by the Supreme Court decisions were compounded when the Bush administration instructed federal agencies, including EPA and the Corps of Engineers, how to implement them. Instructions issued in 2003 following the SWANCC decision broadly maintained that isolated waters, including as many as 20 million acres of prairie potholes and other wetlands, were not likely protected by the Clean Water Act — effectively directing federal agencies to withhold protections for these waters. This was dramatically more restrictive than the Court's actual decision. Directives issued after the *Rapanos* decision again went beyond the Court's fractured opinions to instruct agencies that many intermittent, ephemeral, and headwater streams and the wetlands adjacent to them may no longer be protected by the law. Although the flaws in these directives are widely acknowledged, they reflect the confusion created by the splintered *Rapanos* opinions.

What's at Stake

The impacts of the Supreme Court's decisions radiate across the American landscape and directly affect hunting, fishing, and public health.

HUNTING AND FISHING

Duck hunters and anglers understand the fundamental importance of wetlands and clean water to healthy wildlife populations — and success in the field. Although the United States once had an extensive array of wetlands, marshes, and swamps, much of that network has been drained, filled, tiled, or otherwise lost. In the early 1990s, the U.S. Fish and Wildlife Service (FWS) conducted a comprehensive assessment of wetland loss in the United States, as directed by Congress. FWS estimated that the area that became the lower 48 states contained 221 million acres of wetlands in 1780s. By the end of the 1980s, 53 percent of those wetlands — approximately 117 million acres — had been lost. This means the nation “lost 60 acres of wetlands every hour between the 1780s and the 1980s,” according to FWS.

Although the pace of wetland loss slowed significantly starting in the mid-1970s, in part due to passage of the Clean Water Act, wetlands continue to disappear. The U.S. Fish and Wildlife Service found that the country lost an average of 82,500 acres of freshwater wetlands every year between 1998 and 2004.

Duck Hunting

Wetlands are the lifeblood of healthy duck populations, providing essential nesting, migratory, and wintering habitat and supporting the insects and plants that constitute the majority of duck diets. Prairie potholes are particularly important duck habitats because of the density of small wetlands and grasslands for nesting. According to the U.S. Fish and Wildlife Service, the Prairie Pothole Region — which extends from northern Montana eastward through North Dakota and western Minnesota and south through South Dakota and Iowa — produces 50 percent of U.S. breeding duck populations. These seasonal wetlands, which are particularly at-risk under the Supreme Court decisions, offer shallow pools of water that do not support other species (mainly fish) that compete with ducks for insects or certain animals (including turtles) that can prey on ducklings.

Wetland acres throughout the Prairie Pothole Region have declined from 20 million acres in 1900 to 7 million acres in 1988.

In a report on the status of wetlands between 1998 and 2004, the U.S. Fish and Wildlife Service highlighted that “[N]otable losses of freshwater vegetated wetlands occurred in the Prairie Pothole Region.” Furthermore, FWS stated that “[E]ighty-five percent of all freshwater wetland losses were wetlands less than 5 acres. Fifty-two percent were wetlands less than 1 acre.” These small wetlands are critical to healthy duck populations. Removing Clean Water Act protections for these waters will accelerate loss of an already fragmented pothole ecosystem, which will have a significant negative impact on duck populations and duck hunting.

- Researchers with FWS and the U.S. Geological Survey estimate that the loss of the wetlands most at-risk in the Prairie Pothole Region of North and South Dakota could cause the average duck breeding population of five key species in this region — mallard, northern pintail, gadwall, blue-winged teal, and northern shoveler — to decline by nearly 40 percent.
- Using duck banding data, Ducks Unlimited (DU) determined that nearly two out of every three mallards shot in the United States were produced in the Prairie Pothole Region. Mallards are the most common duck harvested by hunters annually in this country.
- DU also found that 73 percent of the ducks hatched in the prairie pothole states of North Dakota, South Dakota, and Montana were harvested outside those states. Duck hunters across the country directly benefit from the protection of this essential habitat.

Fishing

The Supreme Court decisions also threaten some of the cleanest and coldest streams in America because they call into question whether the Clean Water Act applies to streams that are not accessible by boat or are closely connected to waters that are. Many headwater and intermittent streams do not support boat traffic because they are shallow or flow only part of the year. Yet these very streams — the ones that flow through our neighborhoods or start high in the mountains across America — are essential to the survival of a wide range of fish.

Small streams provide critical spawning and rearing habitat for many fish species, including trout and salmon. Trout Unlimited compiled and analyzed research over multiple decades documenting the importance of intermittent streams to juvenile trout and salmon. Studies of streams ranging from California to Idaho and Montana show that adults spawn in intermittent streams, generally during times of peak flow, and juveniles emerge from them before water levels become too low.

DRINKING WATER AND PUBLIC HEALTH

The waters put at risk by the Supreme Court decisions are part of an interconnected, fresh water system — the source of drinking water for nearly every American. Whether you get your water from a well in the backyard or a public system in the center of town, the quality of water flowing from your tap is directly affected by the quality of surface and other waters.

Small Streams

EPA analyzed the connection between intermittent, ephemeral, and headwater streams — which may not flow all year and in many cases are not navigable by boat — and public drinking water

Analysis of Surface Drinking Water Provided By Intermittent, Ephemeral, and Headwater (I/E/H) Streams in the United States

COMPLETED BY THE ENVIRONMENTAL PROTECTION AGENCY IN JULY 2009

State	Total Population Served by Public Drinking Water Systems Using Surface Water	Population Dependent on Public Drinking Water Systems Relying on I/E/H	% Population Dependent on Public Drinking Water Systems Relying on I/E/H
AL	2,705,859	2,681,327	99%
AR	948,185	941,225	99%
AZ	3,254,601	3,254,601	100%
CA	7,320,360	7,314,715	99.92%
CO	3,866,332	3,772,743	98%
CT	2,241,030	2,241,030	100%
DE	281,400	281,400	100%
FL	1,808,955	1,808,955	100%
GA	4,918,344	4,912,944	99.89%
IA	667,428	667,428	100%
ID	252,026	252,001	100%
IL	4,872,325	1,680,948	34%
IN	1,951,112	1,703,230	87%
KS	1,504,285	1,503,521	99.95%
KY	3,282,980	3,282,980	100%
LA	1,901,559	1,886,783	99%
MA	5,009,161	4,915,909	98%
MD	3,990,271	3,990,016	99.99%
ME	456,041	454,360	99.63%
MI	1,977,536	1,400,633	71%
MN	1,068,598	978,928	92%
MO	2,498,142	2,498,142	100%
MS	110,041	110,041	100%
MT	351,401	234,219	67%
NC	4,722,950	4,719,825	99.93%
ND	292,414	292,414	100%
NE	525,566	525,566	100%
NH	503,657	503,196	99.91%
NJ	4,258,089	4,258,089	100%
NM	281,206	280,906	99.89%
NV	23,792	23,792	100%
NY	11,471,432	11,146,815	97%
OH	5,894,716	5,285,318	90%
OK	2,326,616	2,326,616	100%
OR	1,782,414	1,770,246	99%
PA	8,215,216	8,035,216	98%
RI	580,332	564,893	97%
SC	1,933,219	1,933,219	100%
SD	309,421	309,421	100%
TN	3,573,078	3,572,494	99.98%
TX	11,674,641	11,557,744	99%
UT	1,490,700	1,428,450	96%
VA	2,369,620	2,364,709	99.79%
VT	181,226	181,226	100%
WA	2,110,490	2,002,833	95%
WI	1,392,700	391,531	28%
WV	1,007,781	1,002,731	99.50%
WY	205,712	202,414	98%
TOTAL	124,364,960	117,447,743	94%

supplies. The agency estimated in July 2009 that at least 117 million Americans receive their drinking water from public systems fed in whole or in part by these small streams. The table on page 23 shows how many people in each state get their drinking water from systems fed by these streams.

Some argue that the threat to public health from contamination in these streams is minimal because water is treated before it is piped into homes, schools, and businesses. However, water treatment is not always effective in removing all contaminants. In December 2009, the *New York Times* published the results of a months-long investigation into violations of the Safe Drinking Water Act, which sets federal standards for drinking water quality. The *Times* found that drinking water for 49 million Americans was still contaminated with toxic chemicals, bacteria, and other pollutants when it reached the tap. Because treatment alone does not remove all dangerous pollutants, it is important to protect water quality at its source, including our streams and rivers.

Wells

Moreover, for millions of Americans, there is little comfort in the argument that “someone at the treatment works will sound the alarm about contaminated water.” According to the U.S. Geological Survey, in 2005 (the most recent year for which data is available) approximately 43 million Americans were “self-supplied,” which means they receive their drinking water from sources other than public systems — most commonly their own wells. The agency reports that “[N]early all of the water withdrawals for self-supplied domestic use were from groundwater.”

The Clean Water Act does not regulate groundwater, and legislation pending in Congress reaffirms this exclusion. However, the connection between surface waters and groundwater is a fundamental fact of the water cycle. If the discharge of pollutants into certain streams, wetlands, and other waters is no longer limited under the Clean Water Act, Americans who rely on private wells could be at elevated risk because their water is rarely sampled or treated before they drink, cook, or bathe with it. They may only suspect a problem when a family member becomes sick or their water smells like gasoline.

Clean Water Is Essential to Healthy Economies

Waterfowl hunting, fishing, boating, and many other types of outdoor recreation that depend on clean water are not simply traditions or hobbies — they are fundamental components of our nation’s economy. Tens of millions of Americans enjoy these activities every year, and the money they spend supports everything from major manufacturing industries to small businesses in communities across the country — and generates billions of dollars in state and local tax revenues.

Migratory Waterfowl Hunting: According to the U.S. Fish and Wildlife Service, 1.3 million Americans age 16 and older hunted waterfowl in 2006. FWS estimates that these hunters had a positive economic impact totaling more than \$2.3 billion, which supported more than 27,000 private sector jobs.

Fishing: Using data from FWS and other sources, the American Sportfishing Association reports that nearly 30 million people age

Waterfowl hunting, fishing, boating and other outdoor recreation that depends on clean water are fundamental to our nation’s economy.

16 and older fished in 2006 and generated nearly \$125 billion in total economic activity. Freshwater fishing generated approximately \$88 billion — 70 percent of the total — and is most closely tied to the waters threatened by the Supreme Court decisions.

Boating: Recreational boating is enjoyed by millions of Americans and has a positive economic impact that spreads from small marinas and dock-side restaurants to major manufacturing industries supporting skilled jobs. According to the National Marine Manufacturing Association (NMMA), the total economic value of recreational boating in the United States — both motorized (power boating) and nonmotorized (such as canoeing and kayaking) — was \$100 billion in 2007.

Confusing Decisions Undermine Clean Water Act Enforcement

Clean Water Act protections for the nation’s waters are further undermined by the confusing, time-consuming, and expensive administrative processes triggered by the Supreme Court’s *Rapanos* decision. In a March 2008 memo, the head of Clean Water Act enforcement at EPA reported that approximately 500 cases were either dropped or otherwise compromised in the 18-month period following the *Rapanos* decision due to legal confusion, leaving many polluters unaccountable for dumping pollutants into streams and wetlands.

In a Clean Water Act Enforcement Plan released in October 2009, EPA further expanded on the negative impact of the Supreme Court decisions: “EPA’s challenges in protecting the nation’s waters have been increased by recent decisions in *SWANCC* and *Rapanos* . . . These decisions have negatively impacted EPA’s ability to enforce [the Clean Water Act] by significantly increasing the amount of time and resources it takes to bring enforcement actions necessary to protect our waters.”

Even federal judges have thrown up their hands and walked away from pollution cases. One judge in Alabama simply refused to preside over a second trial of a polluter after his criminal conviction was overturned by the appellate court based on *Rapanos*. In announcing his decision, the judge said, “I am so perplexed by the way the law applicable to this case has developed that it would be inappropriate for me to try it again.” The post-*Rapanos* confusion and uncertainty are undermining the effectiveness of the Clean Water Act — one of America’s most important environmental, conservation, and public health laws.

A person wearing a green shirt, a wide-brimmed hat, and a backpack is paddling a canoe on a river. The water is a murky green-brown color. The person's hands are on the paddle, which is in the water. The background is slightly out of focus, showing more of the river and some rocks.

STREAMS AT-A-GLANCE

PERENNIAL STREAM: Water flows year-round during a typical year (other than during severe drought).

INTERMITTENT STREAM: Water flows only part of the year.

EPHEMERAL STREAM: Water flows periodically, usually after a rain storm or other precipitation.

HEADWATER STREAM: A network of ephemeral, intermittent, and perennial small streams that eventually forms a larger creek or river.

HAVE CREEK, WILL PADDLE. The total value of recreational boating in the U.S. was \$100 billion in 2007. Hunting and fishing generate additional billions of dollars — and new jobs.

Congress Must Act To Protect Our Waters

Threats to water quality will only grow unless Congress acts to restore the protection that wetlands, streams, and lakes received for 30 years under the Clean Water Act. Only Congress has the power to overturn the Supreme Court rulings and restore the original intent of the law — to improve water quality for all Americans. Administrative agencies such as EPA and the Corps of Engineers cannot override the Supreme Court decisions or provide a complete and lasting solution to the problem in the absence of Congressional action.

In fact, in a May 2009 letter to Senator Barbara Boxer, Chair of the Senate Environment and Public Works Committee, the agencies most directly involved with implementing the Clean Water Act — including the Corps of Engineers, EPA, and the Departments of Agriculture and Interior along with the White House Council on Environmental Quality — stated that “a clear statement of Congressional intent is needed to provide a foundation for steady and predictable implementation of the Clean Water Act in the years to come.”

Momentum for legislation to restore historic Clean Water Act protections has been building steadily. By the end of 2008, more than 170 Representatives had signed on as co-sponsors of the Clean Water Restoration Act, authored by Minnesota Congressman Jim Oberstar. Nearly one-fourth of U.S. Senators had joined Wisconsin Senator Russell Feingold to support a similar bill. These measures reaffirmed congressional intent to protect water quality and more specifically defined “waters of the United States” based on long-standing definitions in EPA and Corps regulations. During his presidential campaign, then-Senator Obama supported restoring historic Clean Water Act protections for the nation’s waters. Key administration leaders, including EPA Administrator Lisa Jackson, reiterated throughout 2009 the Obama administration’s support for legislation restoring the CWA. In May 2009, *Field and Stream* magazine highlighted passage of the Clean Water Restoration Act as one of five key goals for hunters and anglers to achieve.

New Bill Advances in U.S. Senate

A breakthrough came in June 2009, when the Senate Environment and Public Works Committee approved a balanced clean water bill developed with input from the League and other sportsmen and conservation groups. The compromise bill was drafted by Senators from western and midwestern states with significant agricultural economies, including Senators Max Baucus of Montana and Amy Klobuchar of Minnesota and Committee Chair Barbara Boxer of California.

The measure approved by the Senate committee accomplishes the key goal of restoring Clean Water Act protections for threatened waters as defined prior to the Supreme Court’s SWANCC decision in 2001. At the same time, the measure clearly maintains and enhances long-standing exemptions for agriculture, forestry, and other land uses by:

- Defining “waters of the United States” as lakes, rivers, streams, wetlands, natural ponds, tributaries, and similar natural water features that were protected prior to the SWANCC decision. By explicitly limiting the definition to water features protected prior to 2001, the bill excludes manmade structures like streets and house gutters.
- Deleting the term “navigable” from the Clean Water Act to clarify that Congress’s primary purpose in 1972 was to protect waters

from pollution rather than to sustain navigation. This change is essential to remedy the Supreme Court’s decisions, which undermine the effectiveness of the Act by giving greater meaning to the term “navigable” than Congress intended.

- Enhancing existing exemptions for agriculture by specifically excluding prior converted cropland — which generally includes wetlands that were drained, filled, or otherwise converted to agricultural use before the 1985 Farm Bill limited such conversion — from the definition of “waters of the United States.”
- Preserving existing exemptions from the Clean Water Act for many farming, ranching, mining, energy development, and forestry activities. Congress specifically identified a wide range of land uses — from plowing and seeding to maintaining drainage ditches — that are not covered by the law.
- Including an exemption for man-made waste treatment systems such as settling ponds to capture and treat pollutants.

This bill garnered support from a broad spectrum of agricultural and conservation groups, including the Izaak Walton League, Ducks Unlimited, National Wildlife Federation, Theodore Roosevelt Conservation Partnership, Trout Unlimited, National Farmers Union, and Association of Fish and Wildlife Agencies.

Passage of effective clean water legislation by the Senate Environment and Public Works Committee provides critical momentum for action by the House of Representatives. Congressman Oberstar needs to provide aggressive leadership now to introduce and pass legislation in the House this spring. Having legislation introduced in the House of Representatives is essential to advancing our goal of restoring Clean Water Act protections.

Hunters, Anglers, and Conservationists Are Keys to Success

Although leadership from our elected representatives is important, the active engagement of hunters, anglers, and conservationists is equally critical to our success. This issue has become a lightning rod for opposition from the Farm Bureau, developers, and the oil, gas, and mining industries. Members of these organizations and industries have strongly opposed restoring Clean Water Act protections. Our community must be equally strong in supporting Congressional action to protect America’s streams, rivers, and wetlands.

Members of Congress need to hear from duck hunters, anglers, boaters, and others who enjoy the outdoors about our support for restoring the Clean Water Act. There’s more at stake than our traditions and the recreation we enjoy — drinking water for more than 117 million Americans is at risk if pollution limits are not applied to the small streams, wetlands, and other waters that feed our local reservoirs and backyard wells.

You can protect these resources by telling Congress to act — today! The future of our waters depends on it.

—Scott Kovarovich is Conservation Director for the Izaak Walton League of America. Jan Goldman-Carter is Wetlands and Water Resources Counsel for the National Wildlife Federation.

A man with a beard and sunglasses, wearing a brown jacket and a tan cap, is in a kayak on a river. He is holding a large, spotted fish (likely a trout) out of the water. The background shows a clear blue sky, bare trees, and distant mountains. The water is slightly rippled.

TELL CONGRESS TO PROTECT CLEAN WATER

Contact your U.S. Representative today and urge him or her to support clean water legislation. Members of Congress need to hear from hunters, anglers, and conservationists who care about this issue. Your call, e-mail, or letter will make a difference. Visit the League's online advocacy Web site at www.iwla.org/advocacy for Congressional contacts and text you can use for letter, e-mail, or telephone talking points.