November 16, 2011

The Honorable Patrick Toomey
United States Senate
Washington DC 20510

Re: Oppose Barrasso/Heller Amendment to Energy and Water Appropriations (H.R. 2354)

Dear Sen. Tooney:

On behalf of our thousands of members across Pennsylvania, the undersigned organizations urge you to oppose the Barrasso/Heller amendment to H.R. 2354, which would permanently bar the Army Corps of Engineers from restoring longstanding Clean Water Act protections to water bodies throughout the Commonwealth and the rest of the country. **This amendment undermines the protections that Pennsylvanians expect to ensure clean water for drinking, swimming and fishing.** The amendment would endanger our water resources and put the interests of polluters over those of the public.

We urge you to oppose this amendment and preserve the Corps' ability to take administrative action, within the limits that have been established by the courts, to clarify the Clean Water Act's jurisdiction.

Since the Supreme Court decisions in *SWANCC* and *Rapanos* and ensuing EPA Guidance documents issued in 2003 and 2008, water bodies which Congress intended to protect when it passed the Clean Water Act in 1972 have been put at risk. Congress enacted the Clean Water Act “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.”

This amendment threatens water resources, including over 20 million acres of wetlands and 59% of our nation’s stream miles. The headwater streams that are put at risk by the Barrasso/Heller amendment are incredibly important to the health of Pennsylvania’s watersheds and deserve full protection under the Clean Water Act. **8 million Pennsylvanians get their drinking water from public water systems that are put in danger by this amendment.** 58% of the stream miles that provide water to public water systems in our state are intermittent, ephemeral or headwater streams.

Please do not support this amendment and encourage your colleagues to follow your lead. The Clean Water Act was written to protect all the waters of the United States, whether they go through dry spells, low flows or only spring to life from time to time.

Sincerely,

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