STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

July 12, 2007

The Honorable Olympia J. Snowe
154 Russell Office Building
Washington DC 20510-1903

The Honorable Susan M. Collins
461 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Thomas H. Allen
1127 Longworth House Office Bldg.
Washington, D.C. 20515

The Honorable Michael H. Michaud
1724 Longworth House Office Bldg.
Washington, D.C. 20510

Dear Senator Snowe, Senator Collins, Representative Allen, Representative Michaud:

The importance of Maine’s waters to our economy and our quality of life can hardly be overstated. Our efforts to protect and preserve them for drinking water, fish and wildlife habitat, outdoor recreation and for future generations are anchored in the federal Clean Water Act (CWA). The CWA establishes an important federal baseline of protection and we have major concerns regarding any potential erosion of that base or confusion regarding its jurisdiction. For this reason, I urge you to take an active role in supporting the Clean Water Authority Restoration Act of 2007 (CWRA).

This bill would confirm the historical jurisdiction of the 1972 Clean Water Act by clarifying the definition of “waters of the United States” to include wetlands and small or seasonal rivers and streams. This bill does not create new protective authority; it does, however, reinforce the interpretations that have provided protections for Maine’s and the nation’s essential water resources for over 30 years. These protections were jeopardized by the U.S. Supreme Court decisions in Solid Waste Agency of Northern Cook County v. United State Army Corps (2001) and Rapanos v. United States (2006).

Maine has made considerable progress in terms of water quality protection efforts through permitting and grant programs derived from the federal Clean Water Act. As Congress deliberates on the Clean Water Authority Restoration Act, it is important to this state, our citizens and our economy that the clear intent and strong safeguards of this landmark 1972 law be upheld.

Sincerely,

[Signature]
David P. Littell, Commissioner

Cc: The Honorable Congressman Jim Oberstar
The Honorable Governor John E. Baldacci
Karin Tilberg, Senior Policy Advisor, Governor Baldacci’s Office
Sharon Tisher, J.D. UMO Honors College Dept. of Resource Economics & Policy
Bill McDonald, Director Maine Rivers
Nick Bennett, Natural Resource Council of Maine