



Everglades Coalition

1000 Friends of Florida
Arthur R. Marshall Foundation
Audubon
Audubon Florida
Audubon of the Everglades
Audubon of Southwest Florida
Audubon of the Western Everglades
Caloosahatchee River Citizens
Association / Riverwatch
Center for Biological Diversity
Clean Water Action
Conservancy of Southwest Florida
Defenders of Wildlife
“Ding” Darling Wildlife Society
Earthjustice
Environment Florida
Everglades Coordinating Council
Everglades Foundation
Everglades Law Center
Florida Conservation Alliance
Florida Defenders of the Environment
Florida Keys Environmental Fund
Florida Native Plant Society
Florida Oceanographic Society
Florida Wildlife Federation
Friends of the Arthur R. Marshall
Loxahatchee National Wildlife Refuge
Friends of the Everglades
Hendry Glades Audubon Society
Institute for Regional Conservation
Izaak Walton League Florida Division
Izaak Walton League Florida Keys Chapter
Izaak Walton League Mangrove Chapter
Izaak Walton League of America
Last Stand
League of Women Voters of Florida
Loxahatchee River Coalition
Martin County Conservation Alliance
Miami Waterkeeper
National Parks Conservation Association
National Wildlife Federation
National Wildlife Refuge Association
Natural Resources Defense Council
Ocean Research & Conservation Association
Reef Relief
Sanibel-Captiva Conservation Foundation
Save It Now, Glades!
Sierra Club
Sierra Club Broward Group
Sierra Club Calusa Group
Sierra Club Central Florida Group
Sierra Club Florida Chapter
Sierra Club Loxahatchee Group
Sierra Club Miami Group
Snook and Gamefish Foundation
South Florida Audubon Society
Southern Alliance for Clean Energy
Tropical Audubon Society
The Urban Environment League of
Greater Miami

June 19, 2015

Dear Representatives:

On May 27th, the Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) finalized a landmark rule clarifying longstanding Clean Water Act protections for more than half of the nation’s streams and millions of acres of wetlands that were previously vulnerable to unregulated destruction and degradation. As organizations dedicated to the restoration of the Greater Florida Everglades Ecosystem, we write now to urge you to respect this carefully crafted final rule and support clean drinking water and healthy waterways for Floridians and all Americans.

Clean Water and a Healthy Everglades for Florida

After more than a decade of legal confusion regarding the jurisdictional extent of the Clean Water Act, critical safeguards are finally in place for streams and wetlands that nourish the Everglades system – a vital source of biodiversity, tourism, commercial and recreational fishing, and drinking water for nearly 8 million Florida residents.

This ruling couldn’t come soon enough for Florida, which has already lost almost half of its historic wetland acreage. NOAA and the U.S. Fish and Wildlife Service indicate in their 2011 report to Congress on the status of the nation’s wetlands that for the first time since the 1980’s, there have been significant wetland losses nationally, coinciding with the lack of clarity created by the 2001 and 2006 Supreme Court cases on the Clean Water Act.

Further, harmful algal blooms resulting from polluted waters have been found throughout Florida, including river and stream systems such as the St. Johns, Caloosahatchee, Peace, and Kissimmee Rivers, and Lake Okeechobee. Much of the central Everglades ecosystem has suffered for years from elevated concentrations and loads of nutrients like phosphorus.

The final rule protects streams and wetlands from additional degradation, improving downstream water quality and enhancing the ecosystem services provided to Florida residents. Intact wetlands and streams provide critical flood protection services by significantly attenuating water flow, and serve as habitat for innumerable species, including the threatened Wood Stork and the endangered Everglades Snail Kite.

Committed to full protection and restoration of America’s Everglades

The Clean Water Rule is central and ultimately indispensable to larger efforts underway to restore America's Everglades and other cherished ecosystems. Water quality protections work in tandem with other restoration investments, helping Florida habitats, wildlife, and communities thrive.

Improvements to the Rule

Our organizations are well aware of the concerns voiced by the agricultural community and some other stakeholders in response to the proposed Clean Water Rule. We feel that the final rule, which is the result of a 207-day rulemaking involving over 400 stakeholder meetings, succeeds in balancing the urgent need to protect our nation's water resources with landowners' desire for clarity and regulatory certainty.

Importantly, the rule restores CWA protections to two major categories of water: tributaries to waters already covered by the Act (such as clearly defined headwater streams), and wetlands, lakes, and other water bodies located adjacent to these tributaries (within well-defined boundaries). Appropriately, the final rule also bolsters protections for millions of acres of wetlands located beyond river floodplains that provide critical habitat, flood storage, and pollution filtration services, including the ecologically important shallow, seasonal wetlands found throughout the greater Everglades system.

The final rule actually *narrows* the historic scope of Clean Water Act jurisdiction, excluding protections for some wetlands and other waters that were protected for almost 30 years prior to the 2001 Supreme Court case. The final rule is also very explicit in preserving existing exemptions for normal farming, ranching, and forestry practices, and, in response to feedback from the agricultural community, *expands* exempted waters to include drainage ditches, artificially irrigated areas, artificial lakes and ponds, groundwater, and shallow subsurface flow, among others.

Over ten years in the making, this final rule achieves the long-awaited clarification of the definition of the waters of the United States. Through a science-based, equitable, and open public process, the EPA and the Corps have arrived at clear and consistent protections for streams, wetlands, and other waters, without creating unnecessary new requirements or regulatory burden for agriculture.

The benefits of the Clean Water Rule for Florida are profound. From the treasured Everglades to the Florida Panhandle, we know that clean water and healthy ecosystems are inextricably linked. We celebrate the finalization of this landmark rulemaking, and we urge you to support its swift and unimpeded implementation.

Sincerely,

Cara Capp

Cara Capp
National Co-Chair



Jason Totoiu
State Co-Chair

Cc: Senator Bill Nelson
Cc: Senator Marco Rubio
Cc: Administrator Gina McCarthy
Cc: Assistant Secretary JoEllen Darcy
Cc: Director Christy Goldfuss