



# American Fisheries Society

Organized 1870 to Promote the Conservation, Development and Wise Utilization of the Fisheries

GHASSAN N. RASSAM  
*Executive Director*

July 18, 2007

James L. Oberstar, Chair

House Committee on Transportation and Infrastructure

2165 Rayburn HOB

Washington, DC 20515

Dear Chairman Oberstar:

I am submitting this letter in support of H.R. 2421 (Clean Water Restoration Act) on behalf of the American Fisheries Society (AFS), of which I am the Executive Director. AFS is an international, professional and scientific organization of nearly 9,000 fisheries managers and aquatic scientists. Founded in 1870, AFS is the world's oldest and largest organization dedicated to strengthening the fisheries profession, advancing fisheries science, and conserving fisheries resource. It is our considered opinion, approved by the executive committee, that the Clean Water Restoration Act provides a more scientifically defensible approach to the protection of water quality in the US than current legislation for the reasons set out below.

Scientific evidence has clearly shown that non-navigable rivers and headwater streams, including ephemeral, intermittent, and small perennial streams, as well as lakes, wetlands, and ground waters associated with these waters, are an integral part of the ecological quality of entire river networks. The Clean Water Act, as it is presently being interpreted, does not adequately provide for the protection of these systems.


Research shows that headwater streams have an intrinsic value because of their unique physical, chemical and biological conditions and functions.

Research also shows that headwater streams:

- affect the physical integrity of larger rivers by controlling rates of runoff and sediment delivery;
- affect downstream chemical integrity by their capacity for nutrient and contaminant uptake, retention, transformation, and transport;
- affect the biological integrity of navigable rivers by providing food resources, thermal refuges, spawning sites, nursery areas, and habitat for unique biota;
- are the most extensive and most poorly quantified types of streams; and
- are profoundly altered by human activities, to the detriment of downstream water bodies and the public interest.

Because of their extent and function, these waters are of collective importance to the integrity of navigable rivers; not protecting these waters under the Clean Water Act is detrimental to interstate commerce and public interests that depend on water quality and water flows. Based on these facts, it is our judgment that the Clean Water Restoration Act (H.R. 2421), by clarifying the jurisdictional authority of the Clean Water Act over all of the nation's waters, provides a more scientifically defensible basis for protecting water quality than leaving the jurisdictional authority of these systems to the existing language.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ghassan N. Rassam', with a stylized flourish at the end.

Ghassan N. Rassam  
Executive Director

GNR:jpg

cc: Hon. Eddie Bernice Johnson, Chair, Subcom on Water Resources and  
Environment, House Committee on Transportation and Infrastructure;  
Hon. Nancy Pelosi, Speaker, US House of Representatives;  
Stephen Johnson, Administrator, United States EPA;  
Benjamin Grumbles, Assistant Admin, Office of Water, United States EPA