



washington dc update

April 27, 2011

ALERT – EPA Clean Water Guidance

Fire departments use a system of bells to describe the severity of a fire and to know how much equipment to dispatch to a particular blaze. A multi-alarm fire is an indication that something very serious is happening. We are now issuing a multi-alarm “alert” to WESTCAS members. Here goes:

Despite word that the EPA Clean Water Protection Guidance would be issued in June, we have just learned that EPA will issue this guidance TODAY with a 60 day comment period. We will send you a copy of this guidance when it becomes available but be warned that it reportedly closely resembles the draft document that was secretly sent to the White House by EPA and the Corps of Engineers in December for review and which was leaked to the public in late February.

This Guidance does what the United States Congress refused to do over the past two years which was to provide a Legislative mandate for EPA and the Corps to expand their jurisdiction over the “Waters of the US” and to define what these waters are.

WESTCAS has been deeply involved in this issue since the draft document was leaked including Jolene Macalab’s review of the document. We now respectfully suggest that WESTCAS must gear up to draft a response to be submitted within the 60 day comment period and on behalf of the impact of this document on the Arid West.

This is a great opportunity for WESTCAS. One hundred and seventy Members of the House just sent EPA and the Corps a letter warning the Executive Branch not to attempt through Guidance what the Congress has refused to do. Our membership now has an opportunity to educate their Congressional delegations with regard to the impact of this “Guidance” on their operations.

Also, the 60 day comment period will end immediately after the WESTCAS conference in June. We suggest that comments on the “Guidance” be in final draft form before the conference with the final document ready to submit by the time we all leave San Diego.

The San Diego conference could not be better timed to give us the opportunity to hone and focus our message, both to the Congress and in response to the EPA and the Corps.

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