



**American Water Works  
Association**

**Government Affairs Office**  
1300 Eye Street NW  
Suite 701W  
Washington, DC 20005  
T 202.628.8303  
F 202.628.2846

**Headquarters**  
6666 West Quincy Avenue  
Denver, CO 80235-3098  
Washington, DC 20005  
T 303.794.7711  
F 303.795.1989  
[www.awwa.org](http://www.awwa.org)

The Authoritative Resource for Safe Water®

---

## Regulatory Alert

**TO: AWWA Member Utilities**

**FROM: AWWA Government Affairs**

**DATE: April 27, 2011**

|              |  |
|--------------|--|
| <b>Who:</b>  | <b>US Environmental Protection Agency and US Army Corps of Engineers</b> |
| <b>What:</b> | <b>Draft Guidance on reach of Clean Water Act</b>                        |
| <b>When:</b> | <b>60-day Comment Period announced today</b>                             |

In a telephone news conference today, U.S. EPA and the U.S. Army Corps of Engineers announced that they have developed draft guidance for determining whether a waterway, water body, or wetland is protected by the Clean Water Act.

The guidance, available at <http://water.epa.gov/lawsregs/guidance/wetlands/CWAwaters.cfm>, will be open for 60 days of public comment. AWWA is reviewing the guidance and considering whether or not to develop comments.

According to the EPA, the guidance “will reaffirm protections for small streams that feed into larger streams, rivers, bays and coastal waters. It will also reaffirm protection for wetlands that filter pollution and help protect communities from flooding. Discharging pollution into protected waters (e.g., dumping sewage, contaminants, or industrial pollution) or filling protected waters and wetlands (e.g., building a housing development or a parking lot) require permits. This guidance will keep safe the streams and wetlands that affect the quality of the water used for drinking, swimming, fishing, farming, manufacturing, tourism and other activities essential to the American economy and quality of life. It also will provide regulatory clarity, predictability, consistency and transparency.”

The guidance, which is not legally binding, is intended to help agency field staff understand how EPA and the Army Corps of Engineers understand the Clean Water Act’s reach. It was announced in the context of a broader announcement about the Obama Administration’s “comprehensive commitment to clean water.” A press release regarding the announcement is available at:

<http://yosemite.epa.gov/opa/admpress.nsf/0/2AB54D0018C3478A8525787F005B91FD>

Questions? Contact AWWA Government Affairs, at (202) 628-8303.