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TESTIMONY
OF

DERRY MACBRIDE, GARDEN CLUB OF AMERICA
BEFORE THE COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE HEARING ON
“THE 35TH ANNIVERSARY OF THE CLEAN WATER ACT:
SUCSESSES AND FUTURE CHALLENGES”
October 18, 2007

Thank you Chairman Oberstar and Members of the Transportation and Infrastructure Committee for inviting me to testify today. I would like to briefly introduce myself, make three points and then request that my testimony be entered into the record.

I am Chairman of the National Affairs and Legislation Committee of the Garden Club of America. The Garden Club of America has 17,600 members in 197 clubs across the nation and has long enjoyed our excellent working relationship with members of Congress on issues related to our environment. We greatly appreciate Congress' past consideration of our views and appreciate the opportunity to offer our thoughts on the 35th Anniversary of the Clean Water Act. We are particularly pleased that, with the leadership of Chairman Oberstar, many of you have co-sponsored the Clean Water Restoration Act of 2007, introduced as HR 2421. The provisions of this Act are critically needed to reaffirm the original, intended scope of the Clean Water Act which guaranteed all Americans the right to clean water. We strongly believe that the physical, chemical and biological integrity of the Nation's waters must be protected.

Since its founding in 1913, the Garden Club of America has stood as a strong advocate of conservation and sustainable uses of our natural resources as well as efforts

to advance public awareness of the state of our environment. We have long been aware of the critical and delicate role our nation's wetlands play in water quality, soil maintenance and watershed vitality. Our Position Paper on Clean Water encourages a vigorously enforced Clean Water Act and clearly states our support for the "preservation and protection of wetlands, including strict standards for any method of wetland alteration". Wetlands and their associated streams are an extremely productive part of the watershed; even when they are in a temporarily altered, less visible or tangible state, they are still very much functioning and no less in need of Congressional protection.

The history of legislation to protect our environment is largely one of bi-partnership. The Clean Water Act of 1972, The Clean Air Act of 1970, and the Endangered Species Act of 1973 were all passed, 30 to 35 years ago, under a Republican Administration and a Democratic Congress. Indeed, in my own home state of California, the California Environmental Quality Act of 1970 was enacted by a split legislature and signed into law by Governor Ronald Reagan. By and large, these critical pieces of legislation have served the public well over all these years, and I hope that level of bipartisanship can continue today with respect to HR 2421.

We are now, however, as the Committee is aware, confronted with a judicial disagreement not on policy or constitutional jurisprudence but on the intent of Congress—specifically how far Congress, through its definition of "navigable waters", intends the protections of the Act to reach. The Garden Club of America shares the views of others urging Congress to provide the needed clarification.

In so doing, we ask that Congress recognize that the pollutants and impurities, from which Americans seek protection, travel through aquifers, marshes, and wetlands with no apparent regard for the visibility of nearby navigable water. The reach of the Act, therefore, needs to be expressed as broadly as possible lest Congress' intent to maintain the protections of the Act fall victim to simple hydrology.

In the 35 years since the enactment of the Clean Water Act, our population has grown substantially and seriously overtaxed our limited resources. Those who worked so

hard to pass the Act in 1972 may have expected that phenomena, but they probably did not predict the more recent climate change that is already having myriad adverse impacts on our resources and outlook for the future. What we have learned over the last few years surely demands that we redouble the commitment to this country's natural resources announced in 1972. As in 1972, we look to Congress to act for us as custodians of our vital, treasured resources. Today's hearing, and that held last summer, offers me great hope that the trust we have placed in Congress to protect these resources, on which the very fabric of our future depends, is well placed. The proposal before the Committee offers Congress an opportunity to leave a positive legacy for the future by restoring the integrity and intent of the original Clean Water Act.

I thank you on behalf of the Garden Club of America and its National Affairs and Legislation Committee. More importantly, however, I thank you on behalf of our children and future generations who are surely entitled to the broad protection of the Clean Water Act envisioned by its supporters 35 years ago.