

American Rivers \* Berks Gas Truth \* Biodiversity Conservation Alliance \* Blancett Ranches  
Breast Cancer Action \* Californians for Western Wilderness \* Center for Effective Government  
Citizens Coalition for a Safe Community \* Citizens for Pennsylvania's Future  
Clean Air Task Force \* Clean Water Action \* Delaware Riverkeeper Network \* Earthjustice  
Earthworks \* EcoFlight \* Environment America \* Food & Water Watch \* Freshlife, Inc.  
Greenpeace USA \* League of Conservation Voters \* Lehigh Valley Gas Truth  
Los Padres Forest Watch \* Lower Susquehanna Riverkeeper \* National Audubon Society  
Natural Resources Defense Council \* Oil Change International \* PennEnvironment  
People's Oil & Gas Collaborative - Ohio \* Protecting Our Waters  
Physicians for Social Responsibility Philadelphia \* Responsible Drilling Alliance  
San Juan Citizens Alliance \* Shale Justice Coalition \* Sierra Club  
Southern Environmental Law Center \* The Wilderness Society  
Western Environmental Law Center \* Western Organization of Resource Councils  
Western Resource Advocates \* Wilderness Workshop

March 14, 2013

The Honorable Matthew Cartwright  
U.S. House of Representatives  
1419 Longworth House Office Building  
Washington, DC 20515

Dear Congressman Cartwright:

We write today in support of your bill, the Focused Reduction of Effluence and Stormwater runoff through Hydrofracking Environmental Regulation Act ("FRESHER") which would close a Clean Water Act loophole the oil and gas industry enjoys. Under current law, oil and gas construction and operations are exempt from the Clean Water Act's stormwater pollution prevention permit requirement. This bill, if passed into law, would take the common sense step to repeal this exemption and require the oil and gas industry to meet the same stormwater runoff standards that every other industry meets.

The Clean Water Act's stormwater provisions are important tools to preserve water quality. Construction activities cause erosion and sediment pollution, which in turn can damage local water infrastructure, interfere with agricultural use, increase chemical and wastewater runoff into waterways, and harm aquatic habitat and fish populations. Stormwater permit requirements are not burdensome or expensive. Both Colorado and Wyoming have put stormwater regulations in place for the oil and gas industry without any drop in industrial activity.

Under current law, there is no way for state or federal regulators, or the public, to know if companies have a stormwater pollution prevention plan to identify possible pollution sources and reduce pollution to waters, or if the proper protections are in place. Regulators might only be informed after water is polluted. This makes no sense. Nevertheless, in 1987, Congress exempted oil and gas operations from the requirement to have a permit for stormwater runoff, and during the 2005 Energy Policy Act, Congress expanded this exemption further to include construction

activities related to oil and gas, like building wellpads, roads and pipelines. The FRESHER Act would repeal both of these exemptions and take an important step towards restoring common sense environmental protections to important water bodies. The bill also directs the Department of the Interior to conduct a study of the impacts of stormwater runoff, including impact on groundwater and aquifer resources.

Oil and gas production is occurring in more than thirty states, and a consistent national standard is needed to ensure basic protection of our water resources. Oil and gas development is a risky and environmentally damaging industry, and should not be exempted from any environmental laws. Instead, we should hold oil and gas to the same standards to which we hold other industries. Each exemption that oil and gas has from our bedrock environmental laws should be repealed, and this bill is an important step towards accomplishing that goal. Thank you for your work on this issue.

Sincerely,

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