

Editorial –

Uphold the Promise – Clean Water is a Civic Obligation

by *Dereth Glance*

It's been 40 years since the first Earth Day, yet from our oil soaked Gulf of Mexico, to exploding tap water last year in Dimock, Pennsylvania, it is clear that sustained oversight is needed to protect and restore our nation's waters. Water pollution is expensive, unhealthy and divisive. Although we are frequently reminded about such costs, important safeguards have not been fully implemented to uphold the promise of the federal Clean Water Act.

Citizen action, environmental statutes, agency oversight and collective advocacy have yielded many improvements in our nation's water quality. However, all of our nation's waters have yet to reach the swimmable and fishable goals of the Clean Water Act. Clean water monitoring, best practices, technical assistance, planning, review, permitting and enforcement are all critical steps that assure due diligence to protect our shared water resources. This due diligence depends on regulatory professionals to ensure effective and efficient implementation.

Unfortunately, state budget crises are eroding and erasing essential technical assistance, regulatory oversight and enforcement for clean water protections. The New York State Department of Environmental Conservation (NYSDEC) is evaporating in the midst of the state's fiscal mess. The agency dedicated to environmental and natural resource protection is being systematically dismantled by massive staff cuts. The Governor's proposed Fiscal Year 2010–11 budget would eliminate an additional 135 NYSDEC jobs, bringing the total NYSDEC jobs lost since April 2008 to 461. This concentrated loss of institutional knowledge negatively impacts enforcement, monitoring, sampling, technical assistance, stewardship and public outreach.

Absent a number of knowledgeable and dedicated staff, New York State will struggle to enforce clean water protections. The existing challenges of managing discharges from Concentrated Animal Feeding Operations (CAFOs), municipalities, construction sites, and oil and gas extraction activities will be compounded by significant loss of clean water regulatory professionals. NYSDEC activities, including regular inspections, permit review, technical assistance and continued monitoring programs, will be fodder for history books with the proposed staff cuts, travel restrictions and reduced work weeks.

New challenges, including the controversial gas industry practice of high volume slick water hydraulic fracturing ("fracking"), pose inherent risks to water quality. With a lack of adequate technical and regulatory oversight, those risks are acutely heightened. At a minimum, state leaders must ensure continuation of existing programs and personnel to protect water quality before allowing new risky industrial practices to contaminate more of our state waters.

The fouling impacts to water are ubiquitous. Without adequate investments at every level, our nation's waters and our water-dependent livelihoods suffer the far reaching consequences of pollution. Communities lose valuable revenue when beaches and shellfish beds close from sewer overflows. The health of our great waters, including the Long Island Sound, Hudson River and the Great Lakes of Ontario and Erie, significantly contributes to our local economy. New York is blessed with abundant water resources and

these waters quench our thirst, grow our food and positively impact our quality of life.

Last year, federal investments in clean water surged to new highs. Congress injected much needed investments into the Clean Water and Drinking Water State Revolving Funds, with a new emphasis on green infrastructure, and funded critical aquatic ecosystem restoration. Long standing environmental and public health concerns around the increased proliferation of pharmaceuticals in our waterways also gained a new spotlight from the US Environmental Protection Agency. The NYSDEC, various counties and local municipalities have been holding take-back programs for drugs to reduce the amount that are flushed. Without adequate resources needed on-the-ground, many of these important investments will fail to achieve intended results.

Stewardship for clean water requires no shortage of actors, from the "end of pipe" treatment professionals to the farmer, homeowner and citizen on the street. Clean water is an unwritten civic obligation. This obligation is not the sole responsibility of NYSDEC, but the agency is charged with meeting this obligation. If the budget prevents remaining NYSDEC staff from working with the people, businesses and municipalities of New York to ensure clean water, then what will drive those same players to take an active role in doing their part to prevent pollution?

The EPA's Clean Water Act Action Plan includes increasing public access to the clean water violations database. This investment is important in advancing the public's right-to-know what is in our water. However, clean water stewardship cannot stop at the right-to-know – we must invest, manage, prevent and treat contaminants in our water. To deliver the promise of clean water, it is abundantly clear that sustained investment in regulatory professionals, pollution prevention, sustainable infrastructure and public education is needed. In the near and long term, undercutting clean water programs increases costs to communities forced to pay the price of fouled water.

Effective programs for healthy waterways must be sustainable, diligent, adaptive and responsive to existing and emerging threats. New York State needs to keep its clean water commitment while collaborating with federal government, local government, public and private partners. Our flowing waters – above and below ground – sustain our lives, economy and health.

Unfortunately, it takes horrific events like the burning of the Cuyahoga River, which drew national attention in 1969, or the oil spills in Prince Edward Sound in 1989 and in the Gulf this spring, to recognize the true value of our nation's waters. Protecting water is a necessity that we ignore at our own peril. Time and time again pollution proves to be disastrous, costly – and preventable. Clean water is a positive economic driver and cannot be abandoned for short-sighted budget fixes.

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