November 9, 2026

Dear Members of Congress,

The following 93 organizations, on behalf of our millions of members and supporters, write to share our concerns about impacts of the Bipartisan American Affordability and Jobs Act of 2026 on our waters. Taken together, the water provisions in this bill would severely weaken longstanding Clean Water Act protections, limit the authority of states and Tribes to protect their waterways and cultural resources, and make it easier for the oil and gas industry to pollute and destroy our waters.

While the legislation includes provision to advance transmission and modernization of our electric grid, it also significantly undermines environmental and clean water protections. In addition to the Clean Water Act, the bill would weaken the National Environmental Policy Act, Endangered Species Act, National Historic Preservation Act and other laws that safeguard our environment and public health.

It is possible for Congress to address transition issues and modernize the permitting process without weakening the Clean Water Act ("CWA"). As written, this bill:

- Severely limits state and Tribal authority under the CWA to protect their water resources. States and Tribes can no longer consider tribal consideration of project impacts on locally important issues such as fish passage, aquifer recharge, tribal cultural practices, or water affordability when reviewing permit applications.
- Makes it harder for the EPA to update water quality science that states rely on to update pollution limits for contaminants like PFAS, allowing industries to challenge in court not just policy decisions but the science itself.
- Narrows environmental reviews of oil and gas pipelines, hydropower dams, and other federally permitted projects.
- Locks in fossil fuel infrastructure by creating expedited deployment pathways for natural gas pipelines.
- Severely restricts the EPA's ability to stop the most damaging projects, such as Pebble Mine, that would cause irreversible harm to some of our most treasured places.
- Extends the validity of water pollution permits from five to ten years, limiting the ability to reflect changing science or conditions of the waterway.
- Sets the table for analysis-free ten year "Nationwide" water permits for whole categories of projects- potentially including data centers and the natural gas buildout that comes with them.
- Shifts project costs from industry to taxpayers if a project is denied a permit due to the environmental harm it would cause.
- Limits the ability of the public to have a say in the projects that get built in their community by making it harder to challenge harmful decisions.

We must build the infrastructure America needs while maintaining the safeguards that protect clean water. The proposed changes to the Clean Water Act would not only endanger our collective water resources, but will allow for the continued buildout of fossil fuel projects that endanger our communities and are causing the climate crisis. At a time when our bedrock environmental protections are under attack, we strongly urge Congress to protect the Clean Water Act and reject these provisions.

Sincerely,

Alabama Rivers Alliance
Alliance of Nurses for Healthy Environments
Amigos Bravos
Atchafalaya Basinkeeper
AZ(LAND) Fund
Azul
Baltimore Harbor Waterkeeper / Blue Water Baltimore
Bayou City Waterkeeper
Between the Waters
Beyond Plastics
Black Warrior Riverkeeper
Black-Sampit Riverkeeper
BLM860
Buffalo Niagara Waterkeeper
California Land Watch
CalWild
Casco Baykeeper
Catawba Riverkeeper / Cahaba Riverkeeper Foundation
Center for Biological Diversity
Center for Environmental Law & Policy
Center for Organizing
Choctawhatchee Riverkeeper
Clean Water Action
Climate Conversation Brazoria County
Colorado Riverkeeper / Living Rivers
Committee on the Middle Fork Vermilion River
Congaree Riverkeeper
Conservation Colorado
Cook Inletkeeper
Coosa Riverkeeper
Endangered Habitats League

Endangered Species Coalition
Environmental Law & Policy Center
Environmental Protection Network
Friends of the Mariana Trench
Giniw Collective
Great Swamp Watershed Association, a Passaic River Waterkeeper Alliance Affiliate
Greenpeace USA
Groundwork Center for Resilient Communities
Habitat Recovery Project
High Country Conservation Advocates
HUBitual Learning and Outreach
Hudson Riverkeeper
Humboldt Waterkeeper
Inland Ocean Coalition
Just Zero
Kentucky Waterways Alliance
Lake Erie Waterkeeper
Lake George Waterkeeper
Long Island South Shore Waterkeeper / Save the Great South Bay
Los Angeles Waterkeeper
Maureen Fleming Company
Miami Waterkeeper
Milwaukee Riverkeeper
Narragansett Bay Riverkeeper, Narragansett Baykeeper and South County Coastkeeper / Save The Bay
New Mexico Interfaith Power and Light
North Sound Waterkeeper / RE Sources
Northeastern Minnesotans for Wilderness
Ocean Defense Initiative
Ogeechee Riverkeeper
Ohio River Foundation
One Mississippi
Park Watershed, Inc
Peconic Baykeeper
Penobscot Bay Waterkeeper
PolicyLink
Port Arthur Community Action Network(PACAN)
Potomac Riverkeeper, Upper Potomac Riverkeeper and Shenandoah Riverkeeper / Potomac Riverkeeper Network
Puget Soundkeeper

Russian Riverkeeper
Sachamama Sacred Places Institute For Indigenous Peoples
San Diego Coastkeeper
Santa Barbara Channelkeeper
Satilla Riverkeeper
Shark Stewards- The Earth Island Institute
Shedd Aquarium
Snake River Waterkeeper
Southern Environmental Law Center
Spokane Riverkeeper
Surfrider Foundation
The Water Collaborative of Greater New Orleans
Three Rivers Waterkeeper
Turtle Island Restoration Network
Universal Access to Clean Water for Tribal Communities
Verde
Watauga Riverkeeper
Waterkeeper Alliance
West Virginia Headwaters Waterkeeper / West Virginia Rivers Coalition