



August 30, 2010

Honorable James L. Oberstar
United States House of Representatives
Chair, Committee on Transportation and Infrastructure
2165 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Oberstar:

I am writing on behalf of the National Mitigation Banking Association (NMBA) to thank you for your co-sponsorship of H.R. 5088, the America's Commitment to Clean Water Act. We support this bill.

The NMBA is a nationwide association of private sector entrepreneurs that create mitigation projects to offset environmental impacts that can be authorized under the Clean Water Act. Only Congress can clarify Clean Water Act jurisdiction, a matter that is critical to environmental and economic planning around our nations' streams and wetlands. Mitigation banking exemplifies the valuable ecological and economic resources of the nations' waters.

Our members specialize in finding suitable wetland and stream sites for restoration, in advance of anticipated impacts of needed land development including roads, airports and private projects. Under tight federal oversight, mitigation banks restore, enhance and protect valuable water resources within the same watershed and community as the unavoidable impacts that will accompany permitted projects. We can do this because we are authorized to sell mitigation credits generated by the restoration to those permitted projects. We boost the economy with jobs in the "green business" of habitat restoration and provide economic incentives for property owners to keep wetlands and streams in their natural condition because they have monetary value as mitigation banks. More than a decade of studies of wetland mitigation have concluded that mitigation banking offers superior environmental and administrative results for the Clean Water Act program – including reports by the General Accountability Office, the Environmental Law Institute, the Society of Wetlands Scientists and the National Academy of Sciences.

The confusion over Clean Water Act jurisdiction has not only impacted the physical environment, but has stymied investment in mitigation banking. This slows the pace of private projects that restore and enhance wetlands, streams and habitat.



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We appreciate your efforts clarify the Clean Water Act, and support H.R. 5088. We hope that you will continue to support mitigation banking for its role in an effective Clean Water Act program.

Sincerely

David Urban, President
National Mitigation Banking Association

cc:
Eddie Bernice Johnson, Texas
Chair, Subcommittee on Water Resources
B-376 Rayburn House Office Building
Washington, D.C. 20515