

Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.

Headwater Streams and Wetlands are Critical for Sustaining Fish, Fisheries, and Ecosystem Services: American Fisheries Society Paper



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The American Fisheries Society (“AFS”) referenced on February 5th the publication of a paper titled: *Headwater Streams and Wetlands are Critical for Sustaining Fish, Fisheries, and Ecosystem Services (“Paper”)*

AFS states that the Paper describes the potential impacts of the loss of Clean Water Act protections for headwaters including implications for fish, wildlife and their habitats (including economies depending on such systems).

AFS states that the Paper contends that a finalized reduction of Clean Water Act jurisdiction for headwater ecosystems will result in:

- Loss of ecosystem services
- Increased threat to imperiled species
- Impacts commercial and recreational fisheries
- Loss of cultural values

The Paper is scheduled to appear in the February issue of *Fisheries*.

Headwaters are stated to include portions of a river basin that contribute to the development of maintenance of downstream navigable waters including rivers, lakes and oceans. They are stated to include wetlands outside of flood plains, small stream tributaries of permanent flow, tributaries of intermittent flow, or tributaries or areas of landscape with ephemeral flows. Further, they are stated to comprise the majority of river networks globally in the coterminous United States. Headwater streams are further stated to comprise 79% of river length and directly drain just over 70% of land area.

The Paper argues that the United States Environmental Protection Agency and United States Corps of Engineers revision of the Clean Water Act definition of waters of the U.S. could significantly reduce the number of streams, wetlands and wetland acreage protected by this statute. This is further stated to potentially lead to a loss of benefits provided by wetlands that would no longer be subject to jurisdictional protections.

Sections of the Paper include:

- Headwaters Support Ecosystems
- Headwaters Support Imperiled Species

- Headwaters Support Recreational and Commercial Fisheries
- Headwaters are Culturally Significant
- Headwaters Need Continued Protection

A copy of the Paper can be found [here](#).