

The Honorable Andrew Wheeler  
Acting Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave NW  
Washington, DC 20460

The Honorable R.D. James  
Assistant Secretary of the Army, Civil Works  
U.S. Department of the Army  
104 Army Pentagon  
Washington, DC 20310

August 13, 2018

RE: Docket ID Number EPA-HQ-OW-2017-0203: Comments on Definition of “Waters of the United States”—Recodification of Preexisting Rule, Federal Register, Vol. 83, No. 134 (July 12, 2018)

Dear Acting Administrator Wheeler and Assistant Secretary James:

On behalf of the undersigned 187 organizations and our millions of members and supporters across the country, we oppose the Trump administration’s attempt to repeal the 2015 Clean Water Rule and urge the U.S. Environmental Protection Agency (“EPA”) and U.S. Army Corps of Engineers (“Army Corps”) to withdraw this proposed repeal. We also oppose the agencies’ plan to permanently weaken commonsense protections for streams and wetlands through a new rulemaking. Repealing the 2015 Clean Water Rule and replacing it with a rule that limits which streams and wetlands are covered under the Clean Water Act’s pollution prevention programs is an assault on water quality and public health.

The administration’s latest attempt to justify its proposal to repeal the Clean Water Rule lacks merit. The new legal theories forwarded by the administration in this supplemental notice fail to justify repealing the Rule and ignore the overwhelming scientific evidence that protecting small streams and wetlands is essential to ensuring water quality in downstream rivers and larger water bodies. The 2015 Clean Water Rule creates more certainty, not less, regarding which water resources are federally protected, and is legally and scientifically sound. It was for these reasons, and others, that the EPA and Army Corps received more than 685,000 comments on their first attempt to repeal the Clean Water Rule (dated July 27, 2017) and more than half a million of those comments were in strong opposition to this plan.

The current administration’s assertion that the previous administration relied too much on science when crafting the 2015 Clean Water Rule is absurd. Commonsense water policy

decisions must be based on the best available science if we are ever to achieve the Clean Water Act's water quality goals. Headwater, seasonal, and rain-dependent streams contribute to the drinking water sources for more than 117 million people in the United States. Wetlands filter pollutants and can buffer communities from flooding. These rivers, wetlands, lakes, and streams provide recreational opportunities for millions powering a robust outdoor economy. In its latest proposal, the administration would abandon the agencies' prior scientific and economic rationale for protecting streams and wetlands without offering any scientific evidence to support its plan to permanently repeal effective Clean Water Act protections for these water resources. Science tells us that we should be doing more, not less, to protect our nation's water resources.

Not only is the administration's plan to repeal the 2015 Clean Water Rule unjustified by science or law, it disregards more than 800,000 comments submitted in support of the 2015 Rule. The agencies should withdraw the proposed repeal immediately. Moreover, any potential revisions to the 2015 Clean Water Rule must bring us closer to achieving the goals of the Clean Water Act, and must be carried out in a transparent rulemaking process that is science-based and legally sound, and that provides a meaningful opportunity for all stakeholders to participate.

Sincerely,

350.org  
Allegheny Mountain Chapter of Trout Unlimited  
Alliance for the Great Lakes  
Alliance of Nurses for Healthy Environments  
Alternative Solutions, LLC  
American Chestnut Land Trust  
American Rivers  
Amshoff Farm LLC  
Anacostia Watershed Society  
Anna K. Murray & Associates, P.C.  
Association to Preserve Cape Cod  
Audubon Naturalist Society  
Baltimore Tree Trust  
Beargrass Creek Alliance  
Berkshire Environmental Action Team (BEAT)  
Breast Cancer Prevention Partners  
Brodhead Chapter of Trout Unlimited  
Burns Environmental  
California Coastal Protection Network  
Charles River Conservancy

Charles River Watershed Association  
Chesapeake Foodshed Network  
Chesapeake Wildlife Heritage  
Chestnut Ridge Chapter of Trout Unlimited  
Chicago Audubon Society  
Cincinnati Naacp  
Citizens Campaign for the Environment  
Clark Fork Coalition  
Clean River Project, Inc.  
Clean Water Action  
Climate Action Now, Western Massachusetts  
Codorus Chapter of Trout Unlimited  
Columbia County Chapter of Trout Unlimited  
Committee on the Middle Fork Vermilion River  
Community Water Center  
Concerned Citizens of Cattaraugus County  
Conservation Alabama  
Conservation Colorado  
Conservation Voters New Mexico  
Cumberland Valley Chapter of Trout Unlimited  
CURE (Clean Up the River Environment)  
Delco Manning Chapter of Trout Unlimited  
Detroit Audubon  
Donegal Chapter of Trout Unlimited, Inc.  
Earthjustice  
Earthworks  
Ecological Land Management  
Environment Minnesota  
Environmental Advocates of New York  
Environmental Law & Policy Center  
Environmental League of MA  
Environmental Protection Network  
Environmental Working Group  
Florida Wildlife Federation  
FLOW (For Love of Water)  
Forbes Trail Chapter of Trout Unlimited  
Fort Bedford Chapter of Trout Unlimited  
Freshwater Future  
Friends of Dyke Marsh  
Friends of the Earth  
Friends of the Malden River  
Friends of the Mississippi River

Friends of the Rappahannock  
Genesee Valley Audubon Society  
God's Country Chapter of Trout Unlimited  
Gold Creative Design LLC  
Greater Boston Chapter of Trout Unlimited  
Green Newton  
GreenLatinos  
Greenpeace  
Groundwork Lawrence  
Harpeth Conservancy  
Hilltown Anti-Herbicide Coalition  
Hip Hop Caucus  
Hop Brook Protection Association, Inc  
Illinois Council of Trout Unlimited  
Indiana Wildlife Federation  
Interfaith Partners for the Chesapeake  
Iron Furnace Chapter of Trout Unlimited  
JAPRI.Org  
Jim Zwald Chapter of Trout Unlimited  
Junction Coalition  
Kentucky Resources Council, Inc.  
Kentucky Waterway Alliance  
Lackawanna Valley Chapter of Trout Unlimited  
Lakeshore Natural Resource Partnership  
Lakeside Publishing MI  
Lancaster Land Trust  
League of Conservation Voters  
League of Women Voters  
League of Women Voters of Ohio  
League of Women Voters Upper Mississippi River Region  
Lincoln Land Conservation Trust  
Little Lehigh Chapter of Trout Unlimited  
Littledove Farm  
Lloyd Wilson Chapter of Trout Unlimited  
Loudoun Wildlife Conservancy  
Maine Conservation Voters  
Maryland League of Conservation Voters  
Mass Audubon  
Massachusetts Association of Conservation Commissions  
Massachusetts Rivers Alliance  
Mattawoman Watershed Society  
Merrimack River Watershed Council (MRWC)

Michigan League Of Conservation Voters  
Michigan Wildlife Conservancy  
Midwest Environmental Advocates  
Millers River Watershed Council  
Milwaukee Riverkeeper  
Minnesota Division Izaak Walton League of America  
Minnesota Environmental Partnership  
Mississippi River Collaborative  
Monocacy Chapter of Trout Unlimited  
Montana Trout Unlimited  
Montana Wildlife Federation  
Mystic River Watershed Association  
Nantucket Land Council  
Nashua River Watershed Association  
National Parks Conservation Association  
National Wildlife Federation  
Natural Resources Council of Maine  
Nature Abounds  
NC League of Conservation Voters  
Neponset River Watershed Association  
Neshannock Chapter of Trout Unlimited  
Nevada Conservation League  
New Hampshire Rivers Council  
Northwest Watershed Institute  
Ohio Environmental Council  
Ohio River Foundation  
Organizing for Action  
PennFuture  
Penns Creek Chapter of Trout Unlimited  
Penns Woods West Chapter to Trout Unlimited  
Pennsylvania Council of Churches  
Pennsylvania Council of Trout Unlimited  
Pequabuck River Watershed Association  
Physicians for Social Responsibility Philadelphia  
Pike/Wayne Chapter of Trout Unlimited  
Planning and Conservation League  
PolicyLink  
Potomac Conservancy  
Prairie Rivers Network  
Puget Soundkeeper Alliance  
Rachel Carson Council  
Red River Outdoors

River City Paddlesports Inc.  
River Network  
River Network Partners  
River Source  
Rock Creek Conservancy  
Roman Catholic Diocese of Fresno  
Savage River Watershed Assn.  
Save EPA  
Save Our Sky Blue Waters  
Save the Illinois River, Inc. (STIR)  
Schuylkill Pipeline Awareness  
Sea Run Brook Trout Coalition  
Seneca Chapter of Trout Unlimited  
Shehawken Chapter of Trout Unlimited  
Sleepy Creek Watershed Association  
South River Watershed Alliance  
Southern Maryland Audubon Society  
Southern Oregon Climate Action Now  
SouthWings  
St. Mary's River Watershed Association  
Sustainable Business Network of Greater Philadelphia  
Taunton River Watershed Alliance  
Tip of the Mitt Watershed Council  
Tookany/Tacony-Frankford Watershed Partnership  
Tradewater / Lower Green Rivers Watershed Watch  
Tulpehocken Chapter of Trout Unlimited  
Tuolumne River Trust  
Valley Forge Chapter of Trout Unlimited  
Virginia Conservation Network  
Virginia League of Conservation Voters  
Washington Conservation Voters  
Washington Environmental Council  
Water Supply Citizens Advisory Committee  
Waterways Alliance  
West Virginia Rivers Coalition  
Western Organization of Resource Councils  
Westfield River Watershed Association  
WildEarth Guardians  
Wisconsin League of Conservation Voters  
Wisconsin Trout Unlimited  
Yukon River Inter-Tribal Watershed Council