

April 15, 2019

Gentlefolk,

Please accept our comments below regarding Docket ID No. EPA-HQ-OW-2018-0149.

The stated intent of the proposed rule “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule” is to clarify the definition of Waters of the United States to make the use of the Rule less confusing. However, this proposed Rule change does not enhance clarity, nor does the economic analysis demonstrate no impact on the benefits of water resources. The proposed Rule would rescind protection of many waterbodies currently protected under the Clean Water Act. Eliminating protection of these waters would jeopardize their physical, chemical, and biological integrity, and negatively impact the quality of our drinking water.

The Clean Water Act was adopted in 1972 based on the best available science and over 1000 peer-reviewed scientific studies. Since then, the science of watersheds has further advanced to understand the connections within a watershed - connections among groundwater and ephemeral headwater streams, wetlands, inland lakes, and other waterbodies that do not connect directly to navigable waters but influence the physical, chemical, and biological integrity of such waters.

The waters to be eliminated from protection under the proposed Rule comprise an insignificant percentage of our nation’s land base, but contribute services to society far in excess of their geographic scope. For example, wetlands provide many economic and non-economic services that benefit human communities and wildlife. They store water during flooding, which reduces peak river flow and attenuates flood damage, and are a source of water during droughts. Wetlands clean agricultural and urban runoff water by trapping sediments, removing pathogens, and transforming harmful nitrates into innocuous nitrogen gas. They provide important fish and wildlife habitat for breeding, nesting, and feeding.

Current science overwhelmingly supports the inclusion and protection of all wetlands, ephemeral headwater streams, prairie potholes, inland lakes, and other non-navigable and non-adjacent waters under the Clean Water Act. We all depend on the nation’s waters, and expect them to be clean and managed sustainably. We urge you to reject the proposed rule and support retention of the current definition, which is needed for us to achieve the Clean Water Act’s objective to restore and maintain the physical, chemical, and biological integrity of the nation’s waters.

Sincerely,

Anne Chartier  
President, League of Women Voters – Ashland Bayfield Counties