

**Congress of the United States**  
**Washington, DC 20515**

June 29, 2017

Administrator Scott Pruitt  
Environmental Protection Agency (EPA)  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Attention: Docket ID No. EPA-HQ-OW-2017-0203

Re: Request for Extension of Comment Period on EPA and Corps Proposed Rule Defining Waters of the United States under the Clean Water Act.

Dear Administrator Pruitt:

We request a minimum 90 day extension to the proposed 30-day comment period to rescind the 2015 Clean Water Rule, 80 Fed. Reg. 37054 (Jun. 29, 2015).

The Environmental Protection Agency and the U.S. Army Corps of Engineers (Corps) finalized the Clean Water Rule to clarify the scope of waters protected under the Clean Water Act. The EPA and the Corps solicited comments on the Rule for over 200 days. In accordance with Administrative Procedure Act, the agencies first established a public comment period for 90 days and extended the comment period twice in response to extension requests. The final rule reflected over 1 million public comments on the proposal, the substantial majority of which supported the Clean Water Rule.

The agencies also initiated an extensive public outreach effort, including over 400 meetings across the nation with various stakeholders, including but not limited to: states, small businesses, farmers, academics, miners, energy companies, counties, municipalities, environmental organizations, and other federal agencies. The agencies incorporated these comments into the final Clean Water Rule.

President Trump's Executive Order 13778 directs EPA and the Corps to evaluate whether to revise or rescind the Clean Water Rule, "as appropriate and consistent with law." We ask that as you examine the Clean Water Rule, like the prior administration, you engage in a thoughtful and comprehensive process bound in scientific fact.

Americans depend on clean water for their health and livelihood. More than 117 million Americans rely upon drinking water from public water systems that draw supply from headwater, seasonal, or rain-dependent streams that were vulnerable to pollution before the Clean Water Rule. As such, the decision to roll back the Clean Water Rule cannot be made in haste.

We are concerned that the EPA has provided limited time and opportunity for stakeholder involvement and official public comment. Any proposed rulemaking must include sufficient time and participation to gather input from concerned and affected parties, including those whose legal rights and responsibilities will be affected by this effort. For example, the 2015 Clean Water Rule provided legal certainty that regulatory-defined water features, such as stormwater control features, wastewater recycling structures, and puddles, are not covered by the Clean Water Act. However, that certainty would be eliminated if the 2015 Clean Water Rule were rescinded.

Given the history of engagement on this issue and the fact that parties may be subject to greater regulatory uncertainty by this effort, a comment period of 30 days does not allow for meaningful engagement from the public and stakeholders.

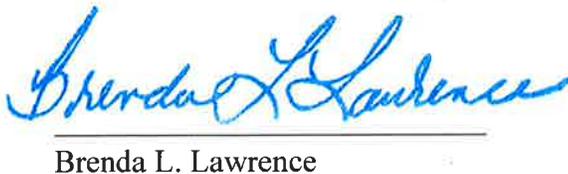
The Clean Water Rule is robust and ensures that water sources are protected by taking into account the connected systems of water, from wetlands and seasonal bodies of water to large rivers and lakes. The requirements of the Rule were meticulously developed and addressed longstanding uncertainty, improving our national commitment to protect not only America's water, but the American people. If the Clean Water Rule is revised or rescinded, the process must be comprehensive and deliberative.

We ask that you take into consideration the opinions of the American public by extending the comment period, allowing for respectful debate. We look forward to hearing from you.

Sincerely,

  
Donald S. Beyer Jr.

  
Grace F. Napolitano

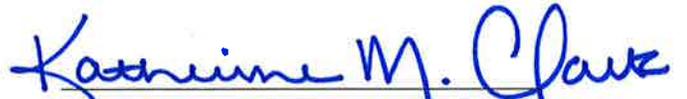
  
Brenda L. Lawrence

  
Matthew A. Cartwright.

  
Gerald E. Connolly

  
Barbara Lee

  
Keith Ellison

  
Katherine Clark

  
Jared Polis

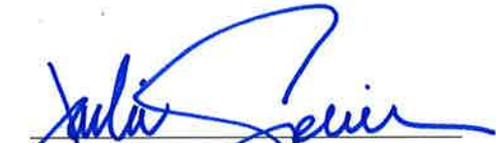
  
Mike Quigley

  
Paul D. Tonko

  
Raúl M. Grijalva

  
Niki Tsongas

  
Earl Blumenauer

  
Jackie Speier

  
Zoe Lofgren

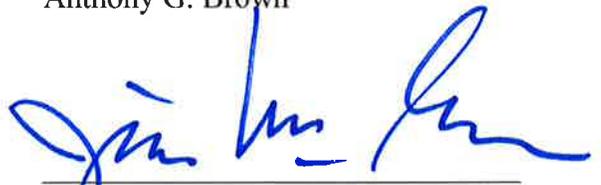
  
Carol Shea-Porter

  
Donald M. Payne, Jr.

  
Debbie Dingell

  
Anthony G. Brown

  
Gwen Moore

  
James P. McGovern

*David Price*

David E. Price

*Carolyn B Maloney*

Carolyn B. Maloney

*Alan Lowenthal*

Alan Lowenthal

*Jared Huffman*

Jared Huffman

*Madeleine Z. Bordallo*

Madeleine Z. Bordallo

*Jerry McNeerney*

Jerry McNeerney

*Daniel W. Lipinski*

Daniel W. Lipinski

*Kilili*

Gregorio Kilili Camacho Sablan

*Cedric L. Richmond*

Cedric L. Richmond

*Nanette Diaz Barragan*

Nanette Diaz Barragan

*Louise M. Slaughter*

Louise M. Slaughter

*Bill Foster*

Bill Foster

*Colleen Hanabusa*

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*Jamie Raskin*

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*Bonnie Watson Coleman*

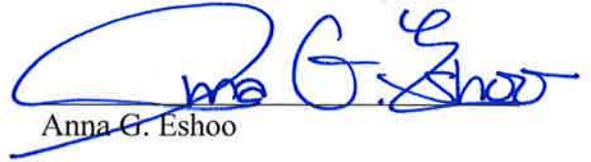
Bonnie Watson Coleman

*Betty McCollum*

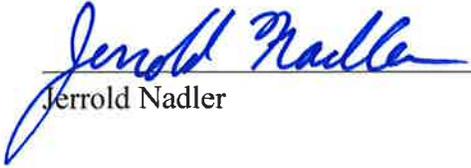
Betty McCollum



John Sarbanes



Anna G. Eshoo



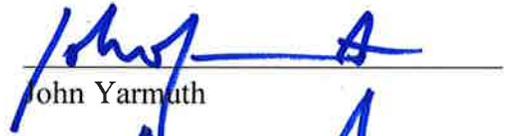
Jerrold Nadler



Ted W. Lieu



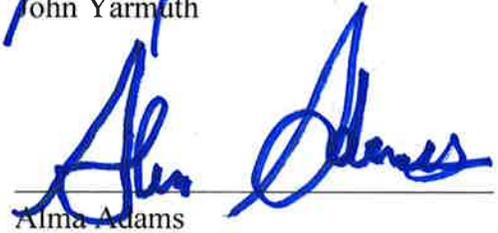
Suzanne Bonamici



John Yarmuth



Steve Cohen



Alma Adams



Marcia L. Fudge



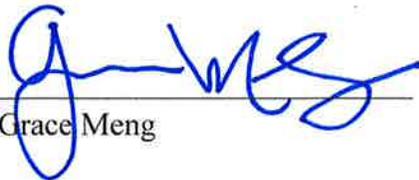
Alcee L. Hastings



Beto O'Rourke



Adam Smith



Grace Meng



A. Donald McEachin



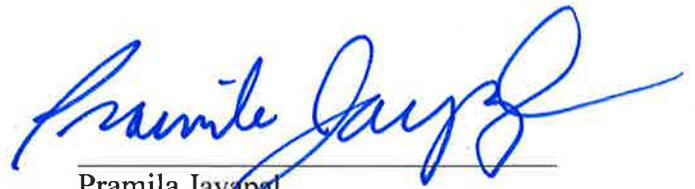
Mark Pocan



Tony Cárdenas



Dwight Evans



Pramila Jayapal



Brendan F. Boyle



Lisa Blunt Rochester



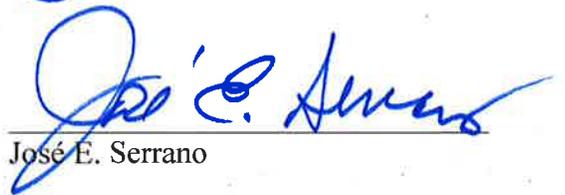
James R. Langevin



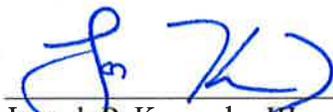
Yvette D. Clarke



Salud O. Carbajal



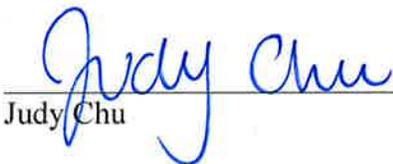
José E. Serrano



Joseph P. Kennedy, III



Daniel T. Kildee



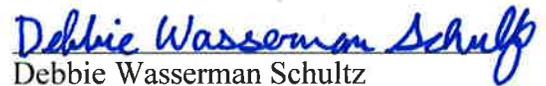
Judy Chu



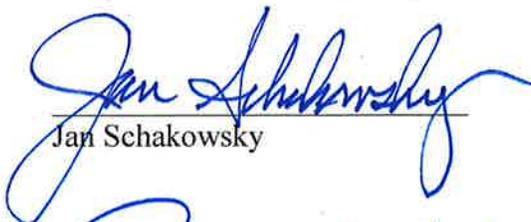
Robert C. "Bobby" Scott



Eliot L. Engel



Debbie Wasserman Schultz



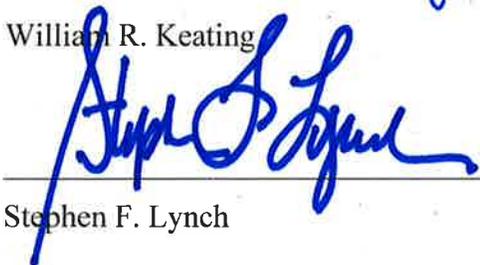
Jan Schakowsky



William R. Keating



Richard E. Neal



Stephen F. Lynch

Doris Matsui

Doris Matsui

Adam B. Schiff

Adam B. Schiff

Richard M. Nolan

Richard M. Nolan

Marcy Kaptur

Marcy Kaptur

Elizabeth H. Esty

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J. Luis Correa

J. Luis Correa

Pete Aguilar

Pete Aguilar

Scott Peters

Scott Peters