Asks EPA to Withdraw its “Waters of the U.S.” Proposal

(Insert City, State) — The [Insert Organization Name] today joined with 375 trade associations and chambers from 50 states representing a wide range of industries to voice strong concerns with the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers’ flawed proposed rule to dramatically expand the scope of federal authority over water and land uses across the U.S. and called for the proposal to be withdrawn. The effort was led by the U.S. Chamber of Commerce.

[QUOTE FROM ORGANIZATION OFFICIAL]

As the groups’ comments state, “The proposed rule is really about the Agencies’ overreaching attempt to replace longstanding state and local control of land uses near water with centralized federal control. In light of the overwhelming evidence that the proposed rule would have a devastating impact on businesses, states, and local governments without any real benefit to water quality, the Agencies should immediately withdraw the waters of the U.S. proposal and begin again. The current proposed rule is simply too procedurally and legally flawed to repair.”

The comments detail several examples of the impacts of the proposed rule, including:

- Maps prepared by EPA show the rule could expand federal jurisdiction over waters from 3.5 million river and stream miles to well over 8 million river and stream miles;
- The rule would make most ditches into “tributaries.” Routine maintenance activities in ditches and on-site ponds and impoundments could trigger permits that can cost $100,000 or more;
- These permitting requirements would likely trigger additional environmental reviews that would add years to the completion time for ordinary projects;
- Even if a project can get a permit, firms will often have to agree to mitigate environmental “damage” with costly restoration/mitigation projects;
- The proposal would likely also result in more stringent storm water management requirements, which would affect retailers, companies with large parking lots, “big box” stores, etc.