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**From:** Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]  
**Sent:** 7/23/2017 8:37:38 PM  
**To:** Adam Piper [apiper@ruleoflawdefensefund.org]  
**Subject:** Re: WOTUS Background

This is perfect!

Sent from my iPhone

On Jul 23, 2017, at 4:04 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

This is what I sent Wilson in case there is anything else that should have been included.

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From: Adam Piper <apiper@ruleoflawdefensefund.org>  
Sent: Sunday, July 23, 2017 11:23 AM  
Subject: WOTUS Background  
To: Alan Wilson <wilsonforag@gmail.com>

**WOTUS UPDATE:**

- The EPA has begun drafting a new definition for Waters of the United States and is currently in the notice and comment period of the rulemaking process.
- 20 states (including South Carolina) filed a comment regarding the definition of WOTUS. Link to letter here: <http://www.ago.wv.gov/Documents/2017.06.19%20WOTUS%20Comments.PDF>
- Administrator Pruitt and Acting Assistant Secretary of the Army Douglas Lamont sent a letter on May 9 to Governors asking for their “input and wisdom” on what bodies of water should be regulated under the Clean Water Act.
- At the end of June, the EPA published in the federal register a formal withdraw of the previous WOTUS rule.
- Four separate lawsuits were filed against the WOTUS rule by a total of 27 states. The US Court of Appeals Sixth Circuit issued a nationwide stay of the rule in October 2015.
- More background on WOTUS can be found here: <https://www.epa.gov/wotus-rule>

**UTAH:**

**Link to article including photo gallery:** <http://www.sltrib.com/news/5522569-155/top-epa-administrator-to-talk-air>

**EPA News Release w. photos of Utah Visit:** <https://www.epa.gov/newsreleases/photos-epa-administrator-pruitt-visits-utah-kick-state-action-tour-announce-decision>

**ARKANSAS:**

**Link to article on event:**<https://www.arktimes.com/ArkansasBlog/archives/2017/07/20/epa-chief-pruitt-in-arkansas-pushing-end-to-clean-air-and-water-rules>

**Rutledge Release on Pruitt Visit:**<https://www.arkansasag.gov/media-center/news-releases/rutledge-welcomes-epa-administrator-scott-pruitt-to-arkansas/>

**EPA News Release w. Photos of Arkansas Visit:**<https://www.epa.gov/newsreleases/photos-pruitt-stops-arkansas-state-action-tour>

### **What Pruitt Announced in Arkansas:**

#### **Administrator Pruitt Visits Arkansas to Announce Water Quality Improvements**

- o Administrator Scott Pruitt met with Governor Asa Hutchinson (R-AR) and Attorney General Leslie Rutledge (R-AR) in Little Rock, Arkansas on July 20 to discuss revisiting the 2015 Waters of the United States rule in an effort to restore cooperative federalism.
- o Pruitt announced that the EPA has approved Arkansas' 303(d) list of water quality standards highlighting the state's impaired waters.
- o The list has been pending approval since 2010, and thanks to Arkansas' efforts, 76 percent of waters labeled as impaired in 2008 now meet water quality standards.
- o In a salute to Federalism, Pruitt said, "under the Trump Administration, EPA is focused on partnering with states to achieve the best environmental outcomes."

### **YOUR RECENT COMMENTARY ON WOTUS:**

July 27 Comment to Previous Definition of WOTUS Withdraw Publication:

"The EPA's regulatory filing has a laudable intent of protecting small streams and wetlands from the risk of pollution. But in fact, it does so through extraordinary means by greatly expanding the already broad definition of 'Waters of the U.S.,"

"This (Obama) expansion would bring many roadside ditches, small ponds on family farms, water features on golf courses and storm water systems under onerous federal regulation. Simply put, our argument is that drainage ditches aren't navigable waters,"

National Op-ED on WOTUS:

<http://dailycaller.com/2014/10/30/drainage-ditches-arent-navigable-waters/>

Coverage of 27 State Legal Challenge to WOTUS:

<http://thehill.com/policy/energy-environment/246539-27-states-challenge-obama-water-rule-in-court>

**Letter to Presidential Transition Team on WOTUS:**

[https://law.georgia.gov/sites/law.georgia.gov/files/related\\_files/press\\_release/WOTUS%20Letter%20to%20Transition%20Team.pdf](https://law.georgia.gov/sites/law.georgia.gov/files/related_files/press_release/WOTUS%20Letter%20to%20Transition%20Team.pdf)