

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** POLITICO Pro  
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**Subject:** EPA formally proposes WOTUS withdrawal

By Annie Snider

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EPA and the Army Corps of Engineers will formally propose the withdrawal of the Obama administration's controversial water rule Thursday.

The proposed rule to withdraw the Waters of the U.S. rule, also called the Clean Water Rule, was unveiled in late June, but had yet to be noticed in the Federal Register, the formal step that triggers the beginning of the public comment period. The Trump administration has given the public 30 days to weigh in on the proposed rule, although critics of the effort to repeal the rule have called for more time.

The proposed rule would change little on the ground today since the Obama administration's rule only briefly went into effect before the 6th Circuit Court of Appeals put it on hold nationwide. The repeal is seen as a safety net in case the Supreme Court determines that the 6th Circuit didn't have authority over the case and the hold is dissolved.

The rule would remove the Obama-era rule from the books and cement the regulatory status quo while the Trump administration works on its own rule to define which streams and wetlands are subject to federal protection under the Clean Water Act — an effort it has said it plans to have ready to unveil in December.

**WHAT'S NEXT:** EPA and the Army Corps will accept public comment on the proposed rule for 30 days. Those public comments will lay the groundwork for expected legal challenges from environmental groups and states that were supportive of the Obama administration's rule.

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