

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 6/27/2017 6:30:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

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Farm Bureau Applauds EPA Move to Ditch Flawed WOTUS Rule

WASHINGTON, D.C., June 27, 2017 – The following statement may be attributed to Zippy Duvall, president, American Farm Bureau Federation:

“Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day.

“But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected.

“Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

Paul Schlegel
Director, Energy and Environment Team
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From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, June 27, 2017 2:29 PM
To: Paul Schlegel
Subject: Fwd: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 27, 2017 at 2:26:44 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Cory, Preston (Katherine)" <Cory.Preston@epa.gov>
Subject: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Good afternoon! This Federal Register notice was just signed by Administrator Pruitt. Let us know if you have any questions.



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

WASHINGTON - (June 27, 2017) The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. **"This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."**

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public," said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information: <http://www.epa.gov/wotus-rule>



Elizabeth Tate Bennett
Senior Deputy Associate Administrator
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U.S. Environmental Protection Agency