United States Senate

WASHINGTON, DC 20510

July 17, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
Ariel Rios Federal Building
1200 Pennsylvania Avenue, NW
Room 3000
Washington, DC 20460

Mr. Douglas W. Lamont
Deputy Assistant Secretary
Office of the Assistant Secretary of the Army for Civil Works
108 Army Pentagon
Washington, DC 20310

Dear Administrator Pruitt and Deputy Assistant Secretary Lamont:

We write to request a minimum of a 90-day extension to the proposed comment period mandated by the Environmental Protection Agency's (EPA) proposal to rescind the 2015 Clean Water Rule, 80 Fed. Reg. 37054 (Jun. 29, 2015).

The 30-day comment period EPA proposes in its Notice of Proposed Rulemaking is far too short to allow full review, careful analysis, and heartfelt feedback from as many of the millions of Americans potentially impacted by this endeavor as wish to share their views, including the 117 million (or one in three Americans) who receive drinking water from the waterbodies affected by this proposal.

We would urge you to extend that comment period to at least the same duration as offered by the previous Administration when it first proposed the 2015 rule – 90 days. As you know, EPA and the Corps of Engineers extended the comment period twice in response to requests to do so, resulting in over 180 days of input. The full comment period extended from April 21—November 14, 2014, yielding more than a million comments. It makes no sense to deny affected and concerned Americans the same opportunity to weigh in on your proposal to rescind that rule.

All Americans depend on clean water for their health and livelihoods. Farmers need clean water to produce safe food; hunters and anglers—and the $40 billion outdoor recreation industry that supports them—need nourishing waters and wetlands to sustain the fish and wildlife they seek; and it's no surprise that the 400,000 or so craft brewers and industry employees need access to fresh, healthy waters, too. They also want assurance that their fundamental right to clean water is not compromised by poor regulating, endless litigating, and the uncertainty this repeal of the Clean Water Rule promises. That is why 80 percent of voters and small business owners support the rule, why 87 percent of hunters and anglers agree that Clean Water Act protection should

apply to the smaller headwaters and wetlands identified by the Clean Water Rule, and why 87 percent of the million or so commenters on the Clean Water Rule said they liked it.

Given the stakes, any effort to change the Clean Water Rule should be based upon robust and meaningful consultation with the public. The 30-day comment period is simply not enough.

Since it is so important to allow the public adequate time to provide responses to this notice, we would appreciate your prompt reply to this request.

Sincerely,

Tom Carper
U.S. Senator

Edward J. Markey
U.S. Senator

Cory A. Booker
U.S. Senator

Christopher Van Hollen
U.S. Senator

Richard Durbin
U.S. Senator

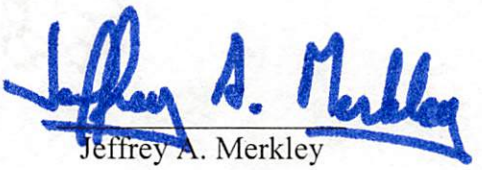
Margaret Wood Hassan
U.S. Senator

Robert P. Casey, Jr.
U.S. Senator

Benjamin L. Cardin
U.S. Senator

Sheldon Whitehouse
U.S. Senator

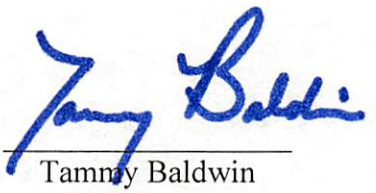
Tom Udall
U.S. Senator



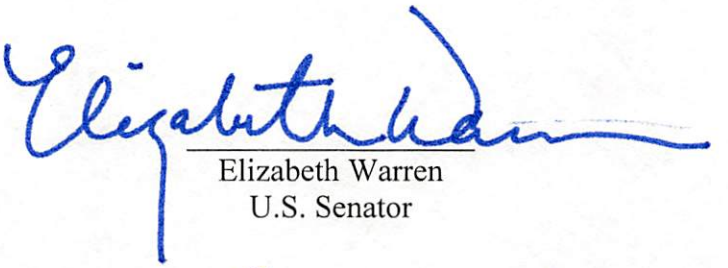
Jeffrey A. Merkley
U.S. Senator



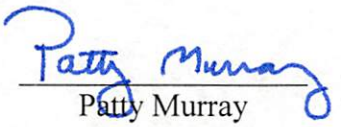
Jeanne Shaheen
U.S. Senator



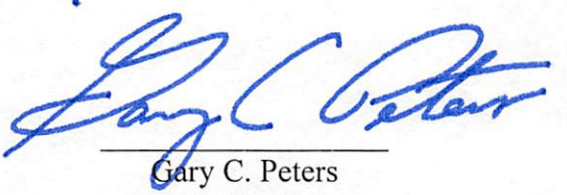
Tammy Baldwin
U.S. Senator



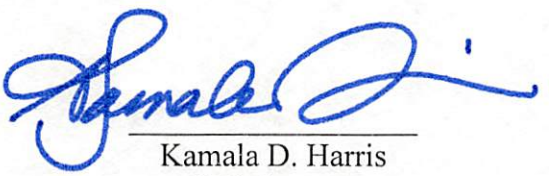
Elizabeth Warren
U.S. Senator



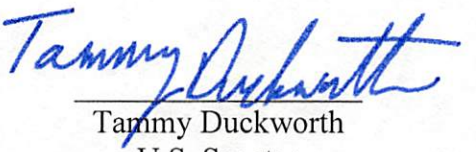
Patty Murray
U.S. Senator



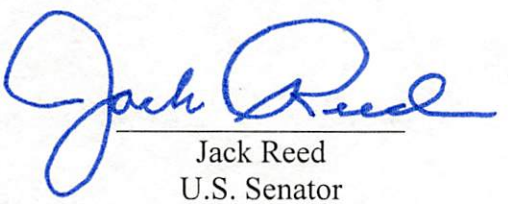
Gary C. Peters
U.S. Senator



Kamala D. Harris
U.S. Senator



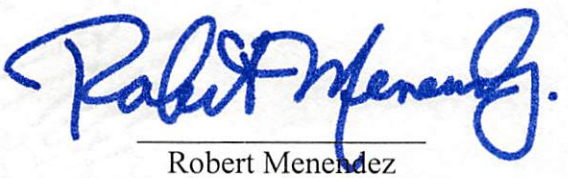
Tammy Duckworth
U.S. Senator



Jack Reed
U.S. Senator



Maria Cantwell
U.S. Senator



Robert Menendez
U.S. Senator



Dianne Feinstein
U.S. Senator