



April 15, 2019

Submitted electronically at www.regulations.gov

Re: California Council of Trout Unlimited comments on proposed Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149)

Dear Administrator Wheeler and Assistant Secretary James:

The California Council of Trout Unlimited (TU) submits the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

TU's mission is to protect, conserve, restore and sustain trout and salmon and their watersheds in North America. Our California Council represents nearly 10,000 members organized into 13 chapters across the state, who invest more than 180,000 dollars and 26,000 volunteer hours annually in furtherance of our mission.

Fishes of the family *salmonidae* (trout and salmon) require cold, clean water to thrive. In that respect, they are a bellwether of watershed health. In many watersheds trout and salmon depend on the habitat, flows and nutrients provided by small tributary streams – many of which may flow only seasonally or after significant storm events -- for spawning and rearing. California has more species of native trout and salmon than any state except for Alaska. Therefore, TU's California Council strongly opposes the proposed rule which would eliminate water quality protections under the federal Clean Water Act for millions of miles of such streams across the country and for hundreds of thousands of stream miles in California.

The proposed Replacement Rule would be harmful not only to trout and salmon but also to waters that supply drinking water to 117 million Americans and support a growing outdoor recreation economy now worth \$887 billion annually. It also would erase protections for millions of acres of wetlands, which are a critical component of functional watersheds and provide groundwater recharge, pollution filtration, and flood protection benefits. Over the long term if not immediately, the Replacement Rule will likely diminish fishing opportunities across the nation and undercut the nation's \$50 billion recreational fishing economy (in California, recreational fishing generates \$4.6 billion in economic activity annually and supports 35,700 jobs).

The Clean Water Act is one of most important pieces of environmental legislation ever enacted in terms of benefits for sportsmen and for fish and wildlife. Because water always flows downhill, whether on the surface or underground, if water quality is compromised in the headwaters it affects water quality and habitat downstream. To be effective, and, we believe, to comply with the intent of Congress in passing this legislation,

the Clean Water Act must be able to control pollution at its source. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that the law does that, even in small streams and wetlands that may go dry for periods of time or become temporarily disconnected from perennial streams. The proposed Replacement Rule would do the opposite.

Ephemeral streams (those that flow only after significant rain) are more important for fish and wildlife – and people – than might be imagined. These streams are the capillaries of watersheds and deliver water for downstream fisheries and human use. They help move nutrients through a watershed and are important food sources for fish. It makes no sense to remove Clean Water Act protections from small creeks – even those that may flow only a few days per year – if we intend to protect water quality in perennial waters downstream.

California has more than 519,500 miles of streams and rivers. Of these, 22% are classified as Intermittent, while more than two-thirds of these stream miles (67%) are classified as Ephemeral. In addition, TU's Science Program has analyzed federal hydrological data and estimates an additional 363,000 miles of ephemeral streams exist in this state. So the impacts of taking away requirements that human development in these waters meet Clean Water Act standards would be widespread.

California has been hard hit in recent years by extreme drought and wildfires and more frequent, significantly hotter weather. Our trout and salmon populations, many of which were already at risk due to loss of historic habitat and excessive water diversions for human purposes, are struggling to adjust. Especially in our state's smaller coastal watersheds (examples include the Carmel, Santa Ynez, Garcia and Mattole Rivers), small tributaries are crucial as spawning and rearing habitat for salmon and steelhead. Clean Water Act protections are one of the few tools we have for ensuring that this remaining productive habitat stays that way.

Clean water should not be a political issue. TU's highly successful and collaborative work with mining companies, farmers and ranchers across the country on water quality and supply issues – under the current Clean Water Act standards – suggests that we can support business and landowner interests and protect water quality for people and fish at the same time. When science and the public interest are aligned so clearly, as is the case with respect to the benefits of clean water and the need to protect water quality at its sources, the rational policy outcome is clear. We respectfully request that you withdraw the proposed Replacement Rule and amend it to be at least as protective of water quality in small tributary streams and wetlands as the 2015 Clean Water Rule.

Sincerely,

Cindy Noble, chair
California Council of Trout Unlimited
Graeagle, CA

Cc: CA congressional delegation



Connecticut Council

**For the Environmental Protection Agency
Comments of Connecticut Council of Trout Unlimited
Proposed Rule: Revised Definition of the Waters of the United States**

April 15, 2019

Thank you for the opportunity to comment on the Revised Definition of the Waters of the United States.

The Proposed Rule should be rejected. The 2015 Waters of the United States Rule was developed after lengthy reviews and public comment periods in order to provide more clarity as to which wetlands and waterways are protected under the Clean Water Act of 1972. Based on basic, common-sense knowledge of how water quality and quantity is preserved from a watershed perspective, the EPA rightly included wetlands and ephemeral and intermittent streams.

Water quality has improved substantially since the CWA. But there is still much work to be done and our highest quality waters are under constant threat. The waters where our children fish and play, the wetlands that absorb floodwaters and protect our communities, and our public water supplies are all at risk without the regulatory controls provided by the 2015 WOTUS Rule.

Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Submitted By,

Alicea Charamut
Chair, Connecticut Council of Trout Unlimited

Trout Unlimited is a national organization of 140,000 members dedicated to protecting, reconnecting, and restoring clean, cold, fishable waters. The Connecticut Council of Trout Unlimited (CTTU) is the governing body for eight local chapters across the state that collectively represent more than 3,000 conservation-minded constituents.



April 15, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Georgia Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The GA Council of TU represents 3,500 members organized into twelve chapters across the state. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country. The Agencies' proposal would end protections for thousands of stream miles in our state and millions of miles of streams across the country, streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source, upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act, and the 2015 Clean Water Rule, were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh

drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Georgia. The state has more than 4,000 miles of trout streams alone, and countless miles of rivers, ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Georgia's booming outdoor industry, supporting a vital recreational fishing industry.

Industrial and agricultural pollution, sedimentation, and riparian destruction pose major challenges for trout in Georgia. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Georgia to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option, it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,
Kathy Breithaupt, Ph.D. Chairman
Georgia Council of Trout Unlimited

Cc: Georgia Congressional delegation



April 15, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

On behalf of the Iowa Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The Iowa Council of TU represents 939 members organized into 4 chapters across the state. Our members give back to the resource they love by investing approximately \$21,800 and 3,100 volunteer hours annually to conserve and restore streams and rivers. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are

the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks.

When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Iowa. The state has more than 70,000 miles of streams and rivers, 530 of which sustain populations of trout. These are ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Iowa's outdoor industry, supporting a vital freshwater fishing industry with a total economic output of \$486.3 million. Recreational angling in Iowa sustains roughly 4,570 jobs.

Industrial pollution, and runoff from agricultural and animal feeding operations pose major challenges for trout in Iowa. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Iowa to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Iowa Council of Trout Unlimited



April 9, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Idaho Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The ID Council of TU represents 2,285 members organized into 8 chapters across the State. Our members give back to the resource they love by investing approximately \$162,800 and 10,200 volunteer hours annually to conserve and restore streams and rivers in our state. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Idaho. The state has 93,000 miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Idaho outdoor industry, supporting a freshwater fishing industry with a total economic output of \$756.5 million.

Pollution from agricultural practices, abandon mines, suction-dredge mining and fluctuating seasonal stream flows in Idaho's watersheds pose major challenges for trout in Idaho. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Idaho to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,



Ed Northen
President
Idaho Council of Trout Unlimited

Cc: Idaho Congressional delegation
April 15, 2019

THE ILLINOIS COUNCIL OF TROUT UNLIMITED

Elliott Donnelley Chapter
Oak Brook Chapter
Lee Wulff Chapter
Gary Borger Chapter

P.O. Box 5046
Oak Brook IL 60522
773 639-6178

Feb. 26, 2019

Illinois Council of Trout Unlimited comment re Docket ID No. EPA-HQ-OW-2018-0149

The Illinois Council of Trout Unlimited [ICTU] is opposed to the proposed definition of the “Waters of the United States” [WOTUS] (Docket ID No. EPA-HQ-OW-2018-0149).

ICTU represents 2,640 members across Illinois. Its members give back to the resource they love by investing approximately \$133,800 and 10,600 volunteer hours annually to conserve and restore streams and rivers.

The Agencies’ proposed definition of WOTUS would end Clean Water Act [CWA] jurisdiction for thousands of stream miles in Illinois and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans (USEPA, 2009), foster a \$49.8 billion recreational fishing industry in the United States (ASA, 2018) and provide essential fish and wildlife habitat that supports a robust outdoor recreation economy worth \$887 billion (Outdoor Industry Association, 2017). The criticality of headwater streams (small, intermittent and ephemeral streams comprising 79% of US stream networks) to the well-being of both commercial and recreational fisheries is amply documented (most recently in Colvin, *et al.*, 2019). Ephemeral streams are particularly important. These are the capillaries of watersheds. They help move nutrients downstream. They can be important habitat for, food sources for, and refugia for fish. They normally have a filtering effect on down stream flow and groundwater. However, if CWA protection is not in place, they can have the profoundly negative effect on both fisheries and drinking water supplies of serving as a conduit for pollution resulting from whatever waste or discharge from vulnerable infrastructure is put into them.

The proposed definition of WOTUS also ends CWA protections for millions of acres of headwaters wetlands outside of floodplains with no direct hydrologic surface connection to jurisdictional waters (6.59 million hectares in the conterminous USA according to Colvin, *et al.*, 2019). These wetlands are critical parts of functioning watersheds, providing such beneficial ecosystem services as groundwater recharge, pollution filtration, and flood protection. A state like Illinois – which has already lost more than 85% of its wetlands since the 1780’s (Dahl 1990) - can ill afford to lose the beneficial services of another foot of wetland!

By eliminating CWA protection for headwater streams and wetlands, the proposed rule would deregulate a host of development activities, such as pipeline construction, that will, over time, degrade water quality and hunting and fishing opportunities in every state in the country.

Strong protections are especially important in Illinois. The State is bordered by 911 miles of rivers and has another 106,940 miles of rivers and streams within its borders, including 78,245 intermittent miles (Illinois Environmental Protection Agency, 2019), all ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Illinois’s booming outdoor industry, supporting a vital freshwater fishing industry with a total economic output of \$1.3 billion (Southwick Associates, 2019). Contributions by Illinois anglers help sustain some 9,209 jobs in the state (Southwick Associates, 2019).

Multiple forms of agricultural pollution, coal ash disposal, CWA enforcement issues, and the protection of Lake Michigan pose major challenges for Illinois’ fisheries. Trout and other cold and cool water fish populations in streams along the northern border of Illinois and in Lake Michigan are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. CWA protections for all component of watersheds are essential to secure healthier ecosystems that benefit fish and wildlife, that allow the people of Illinois to drink and enjoy clean water and that permits the State’s outdoor economy to thrive.



Illinois Council
Trout Unlimited

To be effective, the CWA must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The CWA—and the 2015 Clean Water Rule—were designed to ensure that our nation’s small waters remain intact and that the water flowing from them is fresh and clean. The proposed new WOTUS rule simply does not protect these waters.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. ICTU urges the Environmental Protection Agency and the Corps of Engineers to withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,



Darwin L. Adams
Chairman

cc Illinois Congressional Delegation

References.

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April 11, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Kentucky Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The KY Council of TU represents 810 members organized into two chapters across the State. Our members give back to the resource they love by investing approximately \$14,800 and 3,250 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Kentucky. The state has more than 92,000 miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Kentucky’s booming outdoor industry, supporting a vital freshwater fishing industry with a total economic output of \$1.3 billion. Contributions by Kentucky anglers help sustain some 12,000 jobs.

Mining pollution and oil and gas production waste critically impact clean water resources in Kentucky. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Kentucky to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

John D. Spence
Warner A. Broughman, III

Kentucky Council

Cc: Kentucky Congressional delegation



April 1, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Massachusetts and Rhode Island Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The Massachusetts and Rhode Island Council of TU represents 3,890 members organized into 12 chapters across the States. Our members give back to the resource they love by investing approximately \$116,300 and 27,900 volunteer hours annually to conserve and restore streams and rivers just in Massachusetts and Rhode Island. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that

contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks.

When a rain event occurs, the pollution is transported downstream. Strong protections are especially important in Massachusetts and Rhode Island. Clean water also serves as an economic driver for Massachusetts and Rhode Island's booming outdoor industry, supporting a vital recreational fishing industry.

Agricultural pollution, rising temperatures, and poorly planned development pose major challenges for trout in Massachusetts and Rhode Island. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Massachusetts and Rhode Island to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Paul Beaulieu

Chair
Massachusetts and Rhode Island Council
Trout Unlimited

Cc: Massachusetts and Rhode Island Congressional Delegations



March 09, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Maine Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The Maine Council of TU represents 1,826 members organized into six chapters across the State. Our members give back to the resource they love by investing approximately \$123,700 and 10,125 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate the Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

We Mainers are lucky. Over half of us receive clean drinking water from renewable ground water sources. Still, 48 percent of all water consumed here in Maine comes from surface water sources. We are also fortunate that our great state contains the vast majority of remaining brook trout habitat in the United States. According to Maine Department of Inland Fisheries and Wildlife (DIFW), more than 1,000 lakes and ponds and about 2/3 of Maine's 37,000 miles of rivers and streams contain self-sustaining populations of wild brook trout.

But we Mainers and our wild brook trout need clean water to survive.

Fortunately, in 1972 our own Senator Ed Muskie was prompted to write the Clean Water Act when the Androscoggin, Kennebec, and Penobscot rivers were cited as among the most polluted in the US. Then in 2015 the EPA released the Clean Water Rule clarification after years of compiling scientific data showing that headwaters, even intermittent streams, affect the larger rivers downstream.

Today there are many threats to the clean water that serve as our drinking water sources and wild brook trout habitat: urban sprawl, pollution, acid rain, climate change, and deforestation are a few. But the protections put in place with the CWA and the rules changes implemented in 2015 help mitigate these threats.

The Agencies' proposal (Replacement Rule) would end the protections for thousands of stream miles in

our state and millions of miles of streams across the country - streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion annually. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade drinking water supplies and hunting and fishing opportunities in every state in the country.

Strong protections are especially important in Maine. The state has more than 37,000 miles of streams and rivers - ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Maine's booming outdoor recreation industry, supporting a vital fishing industry with a total economic output of \$614.4 million. Recreational angling in Maine sustains approximately 6,700 jobs

For the past several years Maine TU volunteers have been working with other Non-Government Organizations and DIFW to survey remote ponds and streams and coastal streams for wild populations of native brook trout and it has been amazing to learn the vast number of populations of self-sustaining wild brook trout we have discovered in those small headwaters and intermittent streams. These small headwater streams and wetlands are vitally important to maintaining the high-quality water we and brook trout need to thrive and survive. Many of these small headwater streams originate in the forested mountains and provide the cold water necessary to keep the larger downstream watersheds cool enough for brook trout to survive, they provide thermal refuge for populations of brook trout that migrate from the warmer streams during summer months, and they provide spawning and nursery habitat for young brook trout fry.

Maine is indeed lucky to have such a large supply of pure potable water and so much suitable wild brook trout habitat, but we need more than luck to keep these priceless resources here into the future. Our drinking water sources and brook trout populations are especially vulnerable because they are sensitive to pollution and contamination and to warming temperatures and habitat degradation. Clean Water Act protections are essential to secure clean water supplies and healthier ecosystems that benefit fish and wildlife and allow the people of Maine and visitors to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, cold water is available for fish, farms, and communities is not an option - it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 rule for streams and wetlands.

Sincerely,

C. E. McGinley

C.E. (Mac) McGinley

Chair, Maine Council Trout Unlimited

Cc: Maine Congressional delegation



March 25, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Michigan Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The MI Council of TU represents 7,080 members organized into 20 chapters across the State. Our members give back to the resource they love by investing approximately \$863,800 and 48,600 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Michigan. The state has more than 72,000 miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Michigan’s booming outdoor industry, supporting a vital freshwater fishing industry with a total economic output of \$2.5 billion. Some 132,000 anglers spend more than 1.1 million fishing days pursuing trout in Michigan each year. Michigan is among the top states for fishing, whether measured by economic impact, number of resident anglers, or number of out-of-state visiting anglers. These aquatic resources are vitally important to our way of life, quality of life and economic vitality. These kinds of world-class fisheries do not happen by accident, but through purposeful and dedicated work to ensure that every part of these systems is functioning so that the whole is of exceptional quality.

Agricultural pollution, under-stream pipelines, and a wide array of land use practices, pose major challenges for trout in Michigan. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Michigan to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Gregory Waltz

Michigan Council, Trout Unlimited

CC: Michigan Congressional Delegation



North Carolina Council
of Trout Unlimited

P.O. Box 2351
Brevard, NC 28712

Mike Mihalas
Council Chair

Tim Schubmehl
Vice Chair

Charles Crolley
Secretary

John Miko
Treasurer

Rusty Berrier
NLC Representative

Reba Brinkman
Rivercourse Director

John Kies
Past Chair

Chapters

Blue Ridge TU
Cataloochee TU
Dogwood Anglers
Hickory TU
High Country TU
Land O' Sky TU
Nat Greene Fly Fishers
Pisgah TU
Rocky River TU
Stone Mountain TU
Table Rock TU
Triangle Fly Fishers
Tuckaseigee TU
Unaka TU

March 11, 2019

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the North Carolina State Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The North Carolina Council of TU represents more than 10,000 members and coldwater conservation partners organized into 14 chapters across the State. We strongly oppose the proposed rule which would eliminate Clean Water Act protection for millions of acres of wetlands and millions of miles of rivers and streams here in North Carolina and across the country.

The agencies' proposal (Replacement Rule) would end protections for over 68,000 stream miles in our state – streams which contribute to the drinking water supplies of many North Carolinians and provide essential fish and wildlife habitat that support a robust outdoor recreation economy in North Carolina worth \$28 billion annually in consumer spending.

The proposal also erases protection for 51% of the wetlands, a critical part of functioning watersheds, here in North Carolina and across the country. These wetlands perform a significant role in groundwater recharge, pollution filtration and protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish. What's more, these streams send clean water downstream, where it's used to water our crops, provide water for industry, and provide clean, fresh drinking water for our cities and towns.

Headwater streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a



profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Clean water is a right of all Americans. Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. It is far more cost effective to keep our water clean now than to clean dirty water later.

The 2015 Clean Water Rule, based on sound science and law, provides a baseline protection for all citizens, regardless of where they live, holding polluters accountable while maintaining important traditions such as agriculture and clean drinking water.

Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

The North Carolina State Council of Trout Unlimited
Mike Mihalas, Chair



April 15, 2019
Washington D.C. 20002

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the New Hampshire Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The New Hampshire Council of TU represents 1,500 members organized into 8 chapters across the State. Our members give back to the resource they love by investing approximately \$111,800 dollars and 11,600 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are

the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in New Hampshire. The state has many miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for many communities including the state's largest cities. Clean water also serves as an economic driver for New Hampshire's booming outdoor industry, supporting a vital recreational fishing industry with a total economic output of \$332.8 million. Recreational angling in New Hampshire sustains roughly 3,600 jobs.

Rising temperatures, energy development, and land conversion to development pose major challenges for trout in New Hampshire. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of New Hampshire to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Thomas Ives

New Hampshire Council of Trout Unlimited



March 25, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the New Jersey Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The New Jersey Council of TU represents 3,600 members organized into 11 chapters across the state. Our members give back to the resource they love by investing approximately \$113,100 dollars and 20,600 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in New Jersey. The state has thousands of miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for New Jersey's booming outdoor industry, supporting a vital recreational fishing industry with a total economic output of \$4.5 billion. Contributions by New Jersey anglers help sustain some 32,316 jobs.

Agricultural runoff, urbanization, and deforestation pose major challenges for trout in New Jersey. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of New Jersey to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

New Jersey Council of Trout Unlimited



TO THE DOCKET

02/28/19

Washington D.C. 20002

To Whom It May Concern,

On behalf of Nevada's Trout Unlimited (TU) Local Chapters, please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The Sagebrush and Southern Nevada Chapters of TU represent nearly 900 members in the State of Nevada. Our members give back to the resource they love by investing approximately \$30,000 and 1,000 volunteer hours annually to conserve and restore streams and rivers in our state. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Nevada. The state has more than 143,000 miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Nevada outdoor industry, supporting a freshwater fishing industry with a total economic output of \$273.5 million. Some 146,000 anglers spend more than 1.4 million annual fishing days throughout the state. Trout Unlimited’s conservation work directly benefits Nevada’s growing outdoor industry economy.

Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation in our arid State. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Nevada to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,



Matt Stewart, President
Southern Nevada Las Vegas Chapter



Russ Meyer, President
Sagebrush Chapter

Cc:

The Honorable Catherine Cortez Masto
United States Senate

The Honorable Jacky Rosen
United States Senate

The Honorable Dina Titus
U.S. House of Representatives

The Honorable Mark Amodei
U.S. House of Representatives

The Honorable Susie Lee
U.S. House of Representatives

The Honorable Steven Horsford
U.S. House of Representatives



April 8th, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the New York Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The New York Council of TU represents 7,415 members organized into 32 chapters across the State. Our members give back to the resource they love by investing approximately \$326,500 and 61,000 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send

clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in New York. The state has more than 70,000 miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities, including 8 million citizens of New York City. Clean water also serves as an economic driver for New York's booming outdoor industry, supporting a vital recreational fishing industry with a total economic output of \$4.5 billion. Contributions by New York anglers help sustain some 32,316 jobs in special places such as the, Adirondacks, Long Island Sound, and the Catskills – home to some of the best fishing in the United States.

Agricultural run-off, deforestation, and pipeline development pose major challenges for trout in New York. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of New York to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Lawrence Charette

New York Council of Trout Unlimited

Cc: New York Congressional delegation

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March 19, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Indian Nations (IN) Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The IN Council of TU represents 1,007 members organized into two chapters across the State. Our members give back to the resource they love by investing approximately \$44,000 and 2,100 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end many protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule could deregulate a host of development activities, such as pipeline construction that may very likely, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send

clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed and a significant rain event occurs, pollutions of many types could be transported downstream.

Strong protections are especially important in Oklahoma. The State has hundreds of miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Oklahoma's outdoor industry, supporting a vital freshwater fishing industry with a total economic output of \$1.2 billion while helping to sustain some 11,300 jobs.

Agricultural pollution has become a "hot topic" in Oklahoma with hundreds of new Commercial Animal Feeding Operations, primarily poultry, moving into the State in just the past year. (over 200 coops, each housing as many as 50,000 birds annually, creating 100's of tons of waste) Without good oversight by the EPA and proper Clean Water Act rules being followed, these new CAFO's pose major challenges for both native fish and the trout in Oklahoma, not to mention our own drinking water. Trout populations are especially vulnerable because they are sensitive to warming temperatures, stream degradation and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Oklahoma to recreate, allowing our outdoor economies to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Indian Nations Council #90 Trout Unlimited

Cc: Oklahoma Congressional delegation



April 1, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Oregon Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The OR Council of TU represents 2,900 members organized into seven chapters across the State. Our members give back to the resource they love by investing approximately \$80,500 and 8,861 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Oregon. The state has many miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Oregon’s booming \$16.4 billion outdoor industry sustaining 172,000 jobs. Clean water supports a vital freshwater fishing industry with a total economic output of \$1.2 billion.

Rising temperatures, natural resource extraction, sedimentation of spawning areas caused by upstream disturbances, and destruction of wetland habitats pose major challenges for salmon and trout in Oregon. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Oregon to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark W Rogers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark W Rogers

Chair Oregon Council Trout Unlimited

Cc: Oregon Congressional delegation



April 15, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

The Ozark Council of TU represents over 2,400 members organized into four chapters across Missouri. We have a particular interest in cold water habitat where coldwater species like trout live. We desire that future generations be able to enjoy coldwater fishing opportunities. This passion is demonstrated by our members investing approximately \$120,000 and 22,000 volunteer hours annually to conserve and restore streams in Missouri and Kansas. We monitor several Missouri coldwater streams for water quality as trout are sensitive to various pollutants and act as early indicators of a pollution problem.

To be effective, the Clean Water Act must be able to control pollution at its source. We understand that every drop of rain falls in a watershed. The rain percolates into ground or runs off in ditches, intermittent small streams and various capillaries, and eventually ends up in ground water, wetlands, rivers, lakes or in the ocean. Rain water carries with it pollutants in its pathway, especially during flooding events which have become increasingly more prevalent. Therefore, it's our responsibility to protect all waters to ensure clean high quality water. The Clean Water Act and the 2015 Clean Water Rule currently do just that: It ensures our nation's small waters remain intact, and that the water flowing from them is fresh and clean.

Headwater streams are keystone water for trout spawning and rearing, as well as other wild and native fish. Clean water is a vital economic driver for the Missouri's and Kansas's booming outdoor industry. What's more, these streams send clean water downstream, where it's used in agriculture, industry, and most importantly clean, fresh drinking water for our cities and towns. So by protecting trout we also protected more sensitive species: humans. The Replacement Rule jeopardizes these critical uses. Our country should operate with sustainability in mind. It should not ravage our natural resources for short term profit as it did prior to Clean Water Act and necessitated the superfund for cleanup of toxic waste. It is clearly much more prudent and cost effective to avoid polluting in the first place than to clean up a pollution problem later. Let us pay a little more for safe drinking water as we go along rather than incur large health cost of treating various diseases like cancer.

As such Ozark Council of Trout Unlimited strongly opposes to the Revised Definition of Waters of the United States -Docket ID No. EPA-HQ-OW-2018-0149. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Respectfully,

Michael Riley
Ozark Council NLC Representative



April 4, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Pennsylvania Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The Pennsylvania Council of TU represents 14,000 members organized into 49 chapters across the State. Our members give back to the resource they love by investing approximately one million dollars and 96,000 volunteer hours annually to conserve and restore streams and rivers in our state. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the

United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Pennsylvania. The state has more than 86,000 miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Pennsylvania's outdoor industry, supporting a freshwater fishing industry with a total economic impact of \$700 million. More than 1.1 million anglers spend 10.1 million annual fishing days throughout the state. In addition, clean water supports a Great Lakes fishing industry in Pennsylvania worth more than \$95 million.

Pipeline development and pollution from mines pose major challenges for trout in Pennsylvania. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Pennsylvania to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Pennsylvania Council of Trout Unlimited



Pennsylvania Council of Trout Unlimited

Cc: Pennsylvania Congressional delegation



April 7, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Virginia Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The Virginia Council of TU represents over 4000 members organized into 14 chapters across the Commonwealth. Our members give back to the resource they love by investing approximately \$120,000 dollars and 22,000 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act protections for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end federal protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases federal protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these federal protections, the replacement rule could complicate efforts to protect Virginia's water quality from pollutants originating from upstream states and potentially degrade hunting and fishing opportunities in Virginia.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fishable and swimmable. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used by agriculture, industry and municipalities.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They can be important food sources for fish, and they have a profound effect on water quality. If Clean Water Act protections are removed, suddenly those often dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, pollution from these sources is transported downstream.

Strong protections are especially important in Virginia. The state has more than 86,000 miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Virginia’s outdoor industry, supporting a freshwater fishing industry with a total economic impact of \$700 million. More than 1.1 million anglers spend 10.1 million annual fishing days throughout the state.

Pipeline development and stormwater pollution from development pose major challenges for trout in Virginia. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Virginia to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Virginia Council of Trout Unlimited

Cc: Virginia Congressional delegation



April 15, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Washington Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The Washington Council of TU represents 4,500 members organized into 16 chapters across the State. Our members give back to the resource they love by investing approximately \$196,000 and 21,900 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Washington. The state has more than 105,000 miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Washington’s booming outdoor industry, supporting a vital freshwater fishing industry with a total economic output of \$1.4 billion. On an annual basis, some 767,000 anglers spend a collective 8.4 million days fishing across the State.

Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Washington to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad W Throssell". The signature is fluid and cursive, with a large loop at the end.

Brad W Throssell

Washington Council Chair

Cc: Washington Congressional delegation



March 22, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Wisconsin Council of Trout Unlimited (TU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The Wisconsin Council of TU represents 5,200 members organized into 21 chapters across the State. Our members give back to the resource they love by investing approximately \$777,300 and 50,900 volunteer hours annually to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might become a place to put animal waste or store gas tanks. When a rain event occurs, the pollution is transported downstream.

Strong protections are especially important in Wisconsin. The state has more than 84,000 miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Wisconsin’s booming outdoor industry, supporting a vital freshwater fishing industry with a total economic output of \$2.3 billion annually. Recreational angling in Wisconsin sustains roughly 21,500 jobs generating over \$667 million in salaries and wages.

Industrial and agricultural pollution, water withdrawals, aquatic invasive species, and barriers to fish passage pose major challenges for trout in Wisconsin. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Headwater areas serve as a thermal refuge for trout and are crucial to their survival. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Wisconsin to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Mike Kuhr
Wisconsin Council

Cc: Wisconsin Congressional delegation



March 11, 2019

Submitted electronically at www.regulations.gov

RE: Docket ID No. EPA-HQ-OW-2018-0149: Comments on the Revised Definition of Waters of the United States

Dear Administrator Wheeler and Assistant Secretary James:

On behalf of the Wyoming Council of Trout Unlimited (WYTU), please consider the following comments in opposition to the Revised Definition of Waters of the United States (Docket ID No. EPA-HQ-OW-2018-0149).

The Wyoming Council of TU represents approximately 1620 members organized into 12 chapters across the State. Our members give back to the resource they love by raising and investing almost \$300,000 and volunteering over 15,000 hours in 2018 to conserve and restore streams and rivers in our State. We strongly oppose the proposed rule which would eliminate Clean Water Act for millions of acres of wetlands and millions of miles of rivers and streams across the country.

The Agencies' proposal (Replacement Rule) would end protections for thousands of stream miles in our state and millions of miles of streams across the country – streams that contribute to the drinking water supplies of 117 million Americans and provide essential fish and wildlife habitat that support a robust outdoor recreation economy worth \$887 billion. It also erases protections for millions of acres of wetlands, a critical part of functioning watersheds, including groundwater recharge, pollution filtration, as well as protecting communities from flooding. In eliminating these protections, the replacement rule would deregulate a host of development activities, such as pipeline construction that will, over time, degrade hunting and fishing opportunities in every state in the country.

To be effective, the Clean Water Act must be able to control pollution at its source—upstream in the headwaters and wetlands that flow downstream through communities to our major lakes, rivers, and bays. The Clean Water Act—and the 2015 Clean Water Rule—were designed to ensure that our nation's small waters remain intact, and that the water flowing from them is fresh and clean. These waters are the spawning and rearing waters for trout, salmon and other wild and native fish that contribute greatly to the \$50 billion recreational fishing industry in the United States. What's more, these streams send clean water downstream, where it's used to water our crops, cool our industrial generators and provide clean, fresh drinking water for our cities and towns.

Ephemeral streams are as equally-important as perennial and intermittent streams. These are the capillaries of watersheds. They help move nutrients downstream. They can be important food sources for fish, and they have a profound effect on drinking water. If Clean Water Act protections are removed, suddenly those often-dry creek beds might not be able to provide their important roles in the overall health of the watershed.

Strong protections are especially important in Wyoming. The state has thousands of miles of streams and rivers—ecologically important waterways that feed critical drinking water supplies for communities. Clean water also serves as an economic driver for Wyoming’s booming outdoor industry. Angling and other recreational activities depend on abundant, healthy populations of freshwater fish that need intact ecosystems to thrive and reproduce. In a headwater state like Wyoming, sportsmen depend on protecting ephemeral, intermittent and perennial streams for sustaining and improving outdoor recreation which creates jobs, fills freezers, pays salaries, and directly benefits the economic growth of Wyoming while protecting the activities that make living in Wyoming so desirable. Rolling back language from the CWA threatens this industry, which is why we would like to highlight the following economic contributions from outdoor recreation.

- \$5.6 Billion: Annual consumer spending on outdoor recreation in Wyoming [1]
- \$514 Million: Annual state and local tax revenue generated from recreation in Wyoming [1]

Warming waters, stream fragmentation, water quality degradation due to industrial and agriculture runoff, de-watering of streams due to over-appropriation and lack of oversight... all pose major challenges for trout in Wyoming. Trout populations are especially vulnerable because they are sensitive to warming temperatures and associated habitat degradation. Clean Water Act protections are essential to secure healthier ecosystems that benefit fish and wildlife and allow the people of Wyoming to recreate and our outdoor economy to thrive.

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility. Please withdraw the proposed rule and substantially improve it to be at least as protective as the 2015 Rule for streams and wetlands.

Sincerely,

Wyoming Council of Trout Unlimited



Cole Sherard
WYTU Council Chair

Cc: Wyoming Congressional Delegation

Citations:

[1] Outdoor Industry Association. (2017) Wyoming Factsheet. Available at: <https://outdoorindustry.org/advocacy/>