OPPOSE THE DIRTY WATER RULE.

The Trump Administration's Dirty Water Rule endangers critical wetlands and streams all across the country. Those water bodies feed the drinking water sources for tens of millions of people, filter pollution, and prevent catastrophic flooding.

How the Trump Administration is Planning to Weaken Protections for Clean Water

In February 2017, President Trump signed an executive order directing the EPA and the Army Corps of Engineers to reconsider more than 45 years of federal protection for the Nation's water resources. Specifically, the order tells the agencies to "consider interpreting" the Clean Water Act in a way rejected by a majority of the Supreme Court. The agencies wrote their proposed rule to accomplish this rollback.

This radical reinterpretation of the Clean Water Act would remove federal pollution-control safeguards for rain-dependent streams and exclude wetlands that do not have a surface water connection to other protected waters. It also invites polluters to ask for even greater rollbacks, such as eliminating protections for seasonally-flowing streams.

It is virtually impossible to overstate the harm this could inflict across the country. Excluding rain-dependent and seasonal streams means the loss of Clean Water Act protections for roughly 60-70% of stream miles in the country, outside of Hawaii — over 9 million miles of streams. The proposal also envisions the end of Clean Water Act protection for countless wetlands — likely most of the approximately 110 million acres in the continental U.S. — that don't have surface water connections to other covered waterways, even when they are critically important to those waters.

The Trump Administration's Dirty Water Rule makes no scientific, legal, or fiscal sense. Streams and wetlands provide critical ecosystem services, including water filtration that supports clean drinking water, and water storage that protects communities from flooding and drought. The Administration's Dirty Water Rule:

- **Ignores scientific evidence** demonstrating how water bodies influence downstream water quality and water flows;
- **Ignores public support for strong clean water protections.** When the agencies last considered changes to these Clean Water Act regulations, they received over one million public comments, the vast majority of which (approximately 87%) supported strong clean water protections;
- **Fails to adequately account for the increased costs** for drinking water treatment associated with increased water pollution, and the public and private costs associated with increased flooding, flood risks, and flood damage; and
- **Reflects unsound legal reasoning.** A majority of justices on the Supreme Court rejected the approach that the Trump plan reflects, as did the Bush administration and every federal court of appeals to consider the question.

What Does It Mean for a Water Body to be Protected by the Clean Water Act?

The landmark 1972 Clean Water Act provides numerous pollution prevention, control, and cleanup programs to protected water bodies. For example:

- Wastewater dischargers and sewage plants may not dump into such waters without pollution-limiting permits;
- Facilities storing significant amounts of oil near covered waters must develop oil spill prevention and response plans;
- States must identify and prepare plans to clean up protected waters that don't meet state water quality standards;
- Industrial and commercial developers must obtain approval before discharging solid material into protected waters, destroying valuable wetlands and degrading lakes and streams; and these dischargers must mitigate their impact by creating, preserving, or enhancing other water resources;
- Nobody may discharge "any radiological, chemical, or biological warfare agent, any high-level radioactive waste, or any medical waste" into protected waters; and
- Entities disposing sewage sludge that could pollute such waters must abide by pollution control standards.

Americans Understand the Need to Protect Clean Water

The public agrees on the importance of clean water protections, with polling showing that:

- 63% of Americans worry a great deal about pollution to drinking water and 57% worry a great deal about pollution of rivers, lakes, and reservoirs. This is the highest percentage of concern since 2001 and water pollution continues to be the highest environmental concern.[1]
- More than three in five voters think the government should be doing more to protect the nation's waters from pollution.[2]
- 92% of hunters and anglers want the federal government to strengthen or maintain current standards for Clean Water Act protections.[3]
- 71% of small business owners said that clean water protections are necessary to ensure economic growth.[4]

Ultimately, the Administration's Dirty Water Rule means that fewer streams, wetlands, and other waters would be protected by the Clean Water Act's oil spill prevention program, its requirement to develop cleanup blueprints for polluted waters, its pollution control standards for industrial dischargers, its protections against burying streams and wetlands, and numerous other safeguards. It means more pollution to the lakes and streams we rely on for drinking water, fishing, and swimming, and it is a green light for the rampant destruction of wetlands that prevent dangerous flooding.

PROTECT CLEAN WATER — Reject the Dirty Water Rule!

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CLEAN WATER FOR ALL

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2 League of Conservation Voters, Voters Favor the Clean Water Rule by a Wide Margin, August 2015, https://www.lcv.org/article/memo-voters-favor-the-clean-water-rule-by-a-wide-margin/
3 Theodore Roosevelt Conservation Partnership, TRCP Sportsmen National Survey, http://www.trcp.org/wp-content/uploads/2018/05/TRCP-POS-National-Sportsmen-Poll-on-Water-5-8-2018.pdf
4 American Sustainable Business Council, New Poll: Small Business Owners Want Strong Clean Water Rules, July 2014, http://asbcouncil.org/news/press-release/new-poll-small-business-owners-want-strong-clean-water-rules#.WSRLryMrK2x