Rejecting the Dirty Water Rule: Scientists and experts

The public responded to the Trump administration's proposal to radically redefine the Clean Water Act to strip protections from streams and wetlands with a resounding "No". The Environmental Protection Agency (EPA) only provided 60 days for public comment, but more than 525,000 Americans demanded that the Administration dump this Dirty Water Rule. Comments came from across the country from a diverse range of constituents — water-dependent businesses, community leaders and representatives from underserved communities, people of faith, environmental and conservation groups, tribal nations, hunters and anglers. They talked about personal and spiritual connections to water and the need to do more — not less — to protect these vital resources. They discussed the established science that EPA ignored in its proposal, and the shaky legal ground it was on. **The comments implored EPA to drop this proposal and begin to defend and enforce the laws that keep our water clean and safe.**

Scientists and other experts also weighed in. Twelve scientific societies, representing more than 200,000 scientists across a broad spectrum of disciplines, wrote: "The proposed [Rule] will make it impossible to achieve the objectives of the CWA because it excludes numerous waters and wetlands that directly affect the chemical, physical, and biological integrity of primary waters. Furthermore, many of the definitions and terms in the proposed Rule lack clarity and/or are not based in science. Likewise, many of the criteria for jurisdiction are not based in science and fail to meet the stated goal of clarity, predictability and consistency.

Under this proposed Rule, the CWA's primary goal of maintaining and restoring the chemical, physical, and biological integrity of downstream traditional navigable waters would not be possible. In conclusion, we wish to state in the strongest possible terms that the proposed Rule should be rejected."

Here is a snapshot of what scientists and other experts had to say about the Dirty Water Act:

Alliance of Nurses for Healthy Environments (and American Public Health Association, Association of Public Health Laboratories, Children's Environmental Health Network, National Environmental Health Association, Trust for America's Health): "Inadequate protections can lead to increased contaminants, such as microorganisms, nitrates, heavy metals, and organic chemicals. These contaminants have been linked with gastrointestinal illnesses, cancer and damage to kidneys and the nervous and reproductive systems...Exposure to flood water can have negative health consequences, from wound infections, to tetanus, to gastrointestinal illness....**The proposed revisions ignore scientific evidence and would be detrimental to our public's health."**

Freshwater scientists: "Communities almost certainly will be impacted by increased flood damage, reduced recreational opportunities, impeded navigation, compromised fisheries, and increased costs of water filtration for drinking supply and industrial use if these waterways are not protected"and increased costs of water filtration for drinking supply and industrial use if these waterways are not protected."

10,000 Years Institute: "The elimination of ephemeral streams from Clean Water Act protections will lead to extensive physical and ecological degradation of stream ecological networks...the proposed rule inappropriately restricts states from exercising their rights to define and implement more inclusive and complete regulatory measures under the Clean Water Act."

American Fisheries Society and other groups: "The proposed Rule is not based on sound science or the best-available peer-reviewed information and will, as a result, exclude numerous waters and wetlands that directly affect the chemical, physical, and biological integrity of primary waters making it impossible to achieve the objectives of the Clean Water Act (CWA)....Eliminating protections for smaller, intermittent, non-floodplain, geographically isolated and/or ephemeral waters degrades the large downstream waters in the same way that introduction of toxins to small blood vessels jeopardizes the health of the human body if the toxins are potent enough and in large enough quantities...The proposed Rule appears to be an attempt to eliminate Federal oversight of national resources rather than to increase clarity in the regulatory landscape."

Aquatic scientists at Kansas State University: "Ignoring rigorous scientific evidence is akin to shutting down NASA under the belief that the world is flat!"

CLEAN WATER FOR ALL

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