



June 19, 2017

The Honorable E. Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Douglas W. Lamont, P.E.
Senior Official (Civil Works)
Headquarters
U.S. Army Corps of Engineers
441 G Street NW
Washington, DC 20314-1000

Re: Revision to the Definition of Waters of the United States

Dear Administrator Pruitt and Senior Official Lamont:

The State of Connecticut appreciates the opportunity to respond to the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (USACE) request for input on the redefining of the waters of the U.S. following the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the "Waters of the United States' Rule."

The State of Connecticut has enjoyed a long and prosperous relationship with EPA and USACE in carrying out our shared responsibility of protecting human health and the environment. Among the various aspects of our relationship that have proven successful is the dovetailing of our respective roles to provide for flexibility in the manner that Connecticut protects its environment and natural resources. This flexibility takes into account that all states have varied environmental interests, geophysical conditions and aquatic ecosystems that do not allow for a "one size fits all" approach.

Regarding how best to define "Waters of the United States" (WOTUS), Connecticut respectfully offers the following:

- Consideration should be given to identifying the needs of the state and the impacts to each state that would occur as a result of departure from the Water Rule.
- Connecticut found the implementation of the WOTUS definition as a Water Rule to be beneficial to the protection of Connecticut's water and wetlands. Therefore, it is not clear from Connecticut's perspective what problems are addressed through redefining the "Waters of the United States".
- Connecticut believes that it is important to broadly protect the waters of the state, including intermittent and vernal waters, and our state statutes reflect this.
- Connecticut is extremely concerned that any revision to the WOTUS definition would exclude intermittent headwaters (streams and wetlands) from protection under the federal Clean Water Act. Headwater streams and wetlands are essential components of our cold water stream ecosystems and the native brook trout population support. Protection of these waters becomes critical when considering the effects of a warming climate.
- The federal rules should account for regional circumstances and not create a "race to the bottom." We believe that environmental protection is best when we can rely on federal rules to support our state environmental priorities.

Thank you for the opportunity to participate in this extremely important discussion. We look forward to further opportunities to participate in the "WOTUS" review and rule making process.

Sincerely,



Robert J. Klee
Commissioner