



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUL - 3 2019

OFFICE OF WATER

The Honorable Bob Dixon  
221 S. Grove Street  
Greensburg, Kansas 67054

Dear Chairman Dixon:

Thank you for the letter you and your fellow chairs sent transmitting the "Report on the Proposed 2018 Waters of the United States (WOTUS) Rule" to EPA Administrator Wheeler. The Administrator has asked me to respond to your letter.


The definition of "waters of the United States" is one of the highest priority rulemakings occurring at the EPA, and I appreciate your leadership in responding to the charge that the EPA gave to the Local Government Advisory Council (LGAC) to develop recommendations for the EPA and the Department of the Army to consider as the agencies work to revise the definition of "waters of the United States" in a manner that ensures the nation's waters are kept free from pollution while promoting economic growth and minimizing regulatory uncertainty. I commend the LGAC, especially the Water Workgroup members and the Small Community Advisory Subcommittee members, for the time and attention given to this important issue. The EPA and the Department of the Army will carefully consider the committee's feedback regarding the jurisdictional status of specific categories of waters and the role of states and tribes in implementing the definition as we move to finalize the rule.

I was pleased to hear there was strong consensus among the LGAC that the proposed rulemaking is moving in the right direction. I also appreciate your comments regarding the importance of regional flexibility within a reasonable and clear regulatory framework, which is an issue the agencies considered while developing the proposed rule. Finally, thank you for your feedback on implementation issues such as mapping jurisdictional waters, developing guidance, and continuing to work with our partners in the Department of the Army to improve the efficiency of the Section 404 program.

Both the EPA and the Department of the Army are committed to working expeditiously to restore regulatory certainty and to craft a rule that is clear and easy to understand and respects the authority that the executive branch has been given under the Constitution and the Clean Water Act to regulate navigable waters.

Thank you again for providing this important feedback to the agencies as we consider the public comments on the proposed rule.

Sincerely,

A handwritten signature in black ink, appearing to read "D Ross", with a long horizontal flourish extending to the right.

David P. Ross  
Assistant Administrator



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OFFICE OF WATER

Ms. Susan Hann  
Director, Planning  
Brevard County School Board  
1365 Corey Road  
Malabar, Florida 32950

Dear Chairwoman Hann:

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David P. Ross  
Assistant Administrator



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OFFICE OF WATER

Dr. Robert Cope, DVM  
Planning Commissioner  
City of Salmon, Idaho  
1606 Main Street  
Salmon, Idaho 83467

Dear Chairman Cope:

Thank you for the letter you and your fellow chairs sent transmitting the "Report on the Proposed 2018 Waters of the United States (WOTUS) Rule" to EPA Administrator Wheeler. The Administrator has asked me to respond to your letter.


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David P. Ross  
Assistant Administrator