

WaterProtectionNetwork

On Watch for America's Waters

Statement of the Water Protection Network
Ilana Rubin, Program Manager

August 31, 2021 Public Meeting Regarding the Definition of the Waters of the United States
Docket ID No. EPA-HQ-OW2021-0328

Thank you for the opportunity to comment today. My name is Ilana Rubin and I am here in my role as the Program Manager of the Water Protection Network. The Water Protection Network is a coalition of about 250 national, regional, and local organizations working to ensure that America's water policies and projects are environmentally and economically sound. We work to achieve our vision of water resource planning that utilizes natural and economically sustainable methods and protects and restores our rivers, coasts, and wetlands for people and wildlife.

Network members have long fought for strong protection of the waters of the United States – to protect and restore the waters that we rely on for people and wildlife across this nation to survive and thrive, for clean drinking water, wildlife habitat, outdoor recreation, jobs, and more.

Yesterday's ruling in the U.S. District Court for the District of Arizona, to vacate the Trump administration's Navigable Waters Protection Rule, is a critical step forward. We urge you to embrace, and not challenge this decision, and to take the essential next step of establishing a strongly protective replacement rule to achieve the goals of the Clean Water Act for generations to come.

It is critical to embrace the District Court's decision because the Trump administration rule has been a complete disaster for the nation's waters, wildlife, and communities. Under that rule, a staggering number of waters have been denied Clean Water Act protections – that's at least 76% of the streams and wetlands considered to date.

Each denial of Clean Water Act protections has allowed those waters to be dredged, destroyed, and polluted without any protection under federal law – damage that in many cases cannot be undone.

The Trump administration rule left more than half of the nation's stream miles and tens of millions of acres of wetlands without Clean Water Act protections. That has left the protection of ephemeral streams in the Chesapeake Bay watershed – where I live – up to different state standards. We need a strongly protective federal rule to help protect this shared watershed – and watersheds around the nation – so that we can all have clean and safe, drinkable, swimmable, and fishable waters.

Our waters need strong protections, at a time when the nation has already suffered drastic stream and wetland losses. At least 22 states have already lost 50 percent of their original wetlands and at least 10 states have lost more than 70 percent.

As your agencies know well, wetlands are some of the most biologically productive natural ecosystems in the world, and support an extensive array of fish and wildlife. Up to one-half of all North American bird species and more than half of the nation's threatened and endangered species rely on wetlands. Headwater streams also provide important and unique wildlife habitat.

The Water Protection Network urges you to embrace the Arizona District Court's ruling to vacate the Trump administration's rule, and to establish a new rule to strongly protect the Waters of the US.

Thank you for the opportunity to comment today.