



August 22, 2017

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Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

To Whom it May Concern,

We strongly oppose the Environmental Protection Agency's (EPA) and Army Corps of Engineers' (Corps) proposal to rescind the 2015 Clean Water Rule, and any effort to weaken federal protections for our waterways. These rollbacks ignore both the law and the public's paramount need for clean water and a clean environment. Rollbacks would recklessly open waterways upon which we all rely to degradation and pollution.

I am writing on behalf of the Mystic River Watershed Association (MyRWA), a non-profit organization dedicated to the preservation and enhancement of the Mystic River Watershed, which represents the interests of thousands of residents of eastern Massachusetts. The mission of MyRWA is to protect and restore the Mystic River, its tributaries, and watershed lands for the benefit of present and future generations and to celebrate the value, importance, and great beauty of these natural resources. This includes working to improve the ecology, water quality, public access and recreation, and wildlife habitat, for the benefit of the 22 cities and towns, 600,000 residents, and many businesses in the 72-square-mile watershed.

#### *The 2015 Clean Water Rule*

Based on extensive scientific research, public input, and practical experience, the 2015 Clean Water Rule clarified protections for headwaters, smaller streams, and wetlands that have a significant effect on the chemical, physical, or biological integrity of our larger waters. The streams and wetlands protected under the 2015 rule feed the drinking water sources for nearly one in three Americans, and perform vital functions such as sediment trapping, nutrient recycling, pollutant trapping and filtering, floodwater retention, runoff storage, flow contribution, export of organic matter and food resources, recreation, and aquatic habitat. These functions are integral to the ecological and water quality of our traditional navigable and interstate waters and seas, and water-dependent economic activities such as commercial fishing, recreation, and navigation.

The 2015 Clean Water Rule is a measured, reasonable, and lawful application of sound science to protect our nation's upstream waters and their contribution to larger water systems. The rule was developed after decades of experience implementing the 1972 Clean Water Act, and was approved after extensive peer-

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reviewed ecological studies, interagency reviews, and economic analyses, and massive citizen participation in the public comment process. More than 1.1 million comments were submitted during the 2015 Clean Water Rule public comment period, of which about three-quarters, or more than 800,000, were in favor of approval. More than 1,000 business owners, local officials, farmers, and health professionals urged the EPA to adopt the Clean Water Rule. To propose overturning the rule less than three years after those voices were heard is to disregard the wishes and thoughtful contributions of those citizens.

Repealing the Clean Water Rule runs counter to the Clean Water Act's, and the EPA's, purpose -- achieving clean water: the agency charged with safeguarding our drinking water is proposing to stop protecting drinking water sources for 1 in 3 Americans. It defies common sense, scientific evidence, and the will of the American people.

In our region and others across America, this reckless rollback would allow uncontrolled pollution of critical water resources vital to our ecology, health, and quality of life, commercial fishing, and navigation. It could also harm the competitiveness of our regional economy by forcing us to spend more to clean up the pollution of deregulated waters. We should address these threats by strengthening the Clean Water Act and its applicability, not weakening them.

#### *The Mystic River Watershed as an example*

The EPA's remarkable progress in cleaning up our own Mystic River and its tributaries is a real-world demonstration that the Clean Water Rule should be retained and strengthened, not weakened. Environmental protection and economic growth in the Mystic river watershed have gone hand-in-hand, with smart development, more productive land use, and rising land values emerging as water quality and ecology have improved. The EPA's Waters of the U.S. Prepublication Notice states, “[i]t is in the national interest to ensure that the Nation’s navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of the Congress and the States under the Constitution.”

By cleaning up pollution sources in tributary streams, wetlands and wastewater treatment systems that drain into the Mystic River, the EPA, working with Massachusetts and local partners, has achieved dramatic improvements in less than a decade. As of 2017, the EPA now assigns a letter grade of A-minus to the Mystic River indicating it is now suitable for boating, fishing and recreational use most of the time. As the river has become cleaner, safer and more attractive for humans and wildlife, the land corridor along its banks, once degraded by pollution and underutilized, has attracted extraordinary investment and transformed into one of the fastest-growing residential, commercial, and innovation districts in southern New England, with new housing, businesses and jobs as well as new parks and recreation sites. The Clean Water Rule, which clarified protection of smaller tributary streams and of wastewater systems under the Clean Water Act, was essential for this progress. Principles defined in the Clean Water Rule, including recognizing upstream tributaries as part of the ecosystem that contributes to downstream water quality, and including wastewater management in protections, were in practice within the Mystic Watershed during its transformation, and offer compelling evidence that the approach defined in the Rule works to protect human health and the environment.

In our watershed, and communities across America, a rollback of the Clean Water Rule would turn back the

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clock, gut essential protections, and allow degradation of our waters, which so many citizens and businesses depend on, from upstream pollution sources. We call on EPA and the Corps to reconsider this reckless repeal, which undermines Clean Water Act protection and the public health and environment of the American people. Clean water is essential to life, and the people of our states and the nation deserve the strong federal baseline established by the Rule to ensure that the benefits of clean water are shared equally.

On behalf of the Mystic River Watershed Association,



Patrick Herron, Executive Director

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