

April 15, 2019

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency

The Honorable R.D. James
Assistant Secretary of the Army
Department of the Army, Civil Works

U.S. Environmental Protection Agency
EPA Docket Center
Office of Water Docket
Mail Code 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Ow-docket@epa.gov

Re: Revised Definition of “Waters of the United States,” Docket ID No. EPA-HQ-OW-2018-0149

Dear Administrator Wheeler and Assistant Secretary James:

The undersigned public health organizations support the current definition of Waters of the United States and feel that any revisions may harm public health. The Clean Water Act establishes the basic structure for regulating pollutant discharges into U.S. waters, as well as setting quality standards for surface waters. Under the CWA, EPA implements pollution control programs (such as establishing wastewater standards for industries) and develops national water quality criteria recommendations for pollutants in surface waters. The proposed revisions to the definition of WOTUS will weaken water protections and have detrimental impacts for the nation’s health.

Water quality, supply and access greatly impact our health. Not only do people need drinking water to survive, they also depend on water for recreation, bathing, cooking and cleaning. It is vital to protect our water now and in the future to ensure good health for generations to come. Yet the quality of our drinking water sources is put at risk by the proposed revisions to the WOTUS rule. Nearly 80 percent of our drinking water in the United States is derived from surface waters, such as lakes and streams. Streams have positive benefits year-round, even if they only flow part of the year. Streams filter out pollutants, protect against floods and allow for continuous water flow to surface water.

In the continental U.S., 357,000 miles of streams provide water for public drinking water systems; over one third of those living in the U.S. receive some of their drinking water from systems that rely on these streams. 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. Those most vulnerable to water pollution include infants and young children, pregnant women, the elderly and the immunocompromised.

Yet with these revisions, rain-dependent streams and 51% of wetlands would no longer be protected or monitored. EPA’s own analysis has shown this could lead to increased pollution, greater drinking water treatment and dredging costs and flooding damages. We believe that all streams, regardless of size or

frequency of flow, should be safeguarded from pollution and destruction because the science demonstrates that they serve critical functions in protecting clean water and reducing flood damage for downstream communities.

Changing climate impacts water availability and quality in several ways. Heavy storms can deliver nutrient and other pollutants, such as microbial pathogens, in our waterways. Exposure to floodwater can have negative health consequences, from wound infections, to tetanus, to gastrointestinal illness. Nitrogen and phosphorous-containing fertilizers and sewage overflow may result in toxic algal blooms, such as the 2014 bloom in Lake Erie that left 400,000 people in Toledo, Ohio, without safe drinking water for several days.

Exposure to toxic algae can also cause sickness among people and wildlife and make water unusable for recreational activities. Wetlands filter pollutants, store flood waters and reduce flood flows. However, the proposal to only include wetlands that abut or have a direct surface water connection to other protected waters would exclude approximately half of the nation's wetlands from Clean Water Act protections. This ignores the essential functions wetlands perform, such as buffering communities from flood waters and acting as sinks to capture phosphorous and other nutrient pollution.

The Clean Water Act was designed to keep pollution, including carcinogens, nutrient runoff, sewage and oil out of the nation's water. The 2015 Clean Water Rule is based on scientific evidence and provides clarity regarding which waters are protected and which are not in order to best safeguard water quality and public health. The proposed revisions ignore scientific evidence and would be detrimental to our public's health. We believe the proposed revisions should be rescinded.

Sincerely,

Alliance of Nurses for Healthy Environments

American Public Health Association

Association of Public Health Laboratories

Children's Environmental Health Network

National Environmental Health Association

Trust for America's Health