U.S. Environmental Protection Agency

EPA Docket Center, Office of Water Docket

Mail Code 28221T

1200 Pennsylvania Avenue NW

Washington, DC 20460

RE: Protect Orcas and Salmon by Withdrawing the Dirty Water Rule- Docket ID No. EPA-HQ-OW-2018-014

To Whom It May Concern:

The Dirty Water Rule threatens Puget Sound waters. EPA should withdraw this rule.

All waters are connected. Pollution upstream adversely impacts downstream waters and water users. The logic, importance, and need to maintain a broad definition of “Waters of the United States” under the Clean Water Act (“CWA”) cannot be overstated. Stripping protections for waters under the CWA grants a free license for polluters to discharge pollution, degrade water quality, and harm the people and wildlife that rely on clean water. The “Waters of the United States” definition should be expanded, not gutted.

Clean Water matters to orca whales and the salmon they rely on for their diet. Fifteen different salmon and steelhead stocks in Washington State are listed under the federal Endangered Species Act today, as are the Southern Resident Killer Whales. As of January 11, 2019, the Southern Resident Killer Whale population totaled just 75 whales. Toxic pollution is a major threat to the survival of both our endangered salmon and orca.

Clean water matters to me, and is a bipartisan issue. There was bipartisan support for the passage of the Clean Water Act in 1972, and there is bipartisan support for clean water now. Further, we know that toxic pollution disproportionately impacts communities of color and low income communities. By stripping existing protections for waters from pollution, EPA risks harming communities already struggling under a disproportionate burden of environmental hazards. EPA’s Dirty Water Rule also threatens tribes and first nations who have a higher fish diet.

The 2015 Clean Water Rule – the predecessor to the Dirty Water Rule - is currently being litigated in numerous courts and should be left to stand. During the rulemaking process for the Clean Water Rule, EPA underwent a public process during which it conducted hundreds of public meetings, considered and developed an extensive record of scientific evidence and testimony, and made efforts to ground the Rule in science. The Dirty Water Rule has not followed this model and should be withdrawn.

We know that an ounce of prevention is worth a pound of cure. Please withdraw the Dirty Water Rule today! Any revised definition of “Waters of the United States” should be expanded to protect more waters, not less.

Sincerely,

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