

Help Us Fight EPA's Plan to Give Federal Agencies Control of Land Use Decisions across the U.S.

EPA and the U.S. Army Corps of Engineers have proposed to vastly expand the amount of “waters” – and adjacent land areas – that are under federal control. This proposed rule would make routine operations at facilities subject to federal permitting and lengthy environmental reviews for the first time. **We are fighting this proposal and will file public comments on Tuesday, November 11, 2014. We need your help, and we ask that you sign onto our comments.**

The proposed “waters of the United States” rule will hit existing facilities/operations and future facilities/operations by expanding EPA’s authority to place restrictions on land use and make many more activities subject to a CWA permit.

- Maps prepared by EPA show the rule would expand federal jurisdiction over waters from **3.5 million** river and stream miles to well over **8 million** river and stream miles;
- The rule would make industrial ditches into “tributaries” and maintenance activities in ditches and other “tributaries” would trigger costly dredge and fill permits;
- Work in stormwater retention ponds, fire ponds, and on-site impoundments will also trigger dredge and fill and point source discharge permits;
- These permitting requirements can open your business to citizen group lawsuits, and lengthy environmental reviews (e.g. NEPA and the Endangered Species Act);
- Under the proposal, even if a project can get a permit, businesses will often have to agree to mitigate environmental “damage” with costly restoration/mitigation projects;
- Linear projects such as a highways, power lines, pipelines, etc. will have to obtain additional permits and much greater scrutiny in order to be approved;
- The proposal will likely also affect current stormwater management requirements, which may affect retailers, companies with large parking lots, “big box” stores, etc.

The proposal does little or nothing to actually improve water quality. Instead, it gives EPA and the Corps virtually limitless authority to control which project and commercial activities can go forward. This proposed rule is seriously legally flawed and our comments will urge EPA and the Corps to withdraw it.

Please consider signing on to the attached comments that are focused on the proposed rule’s impact on industrial and manufacturing industries and facilities.

Contact Us: If you have any questions about the proposed rule, please contact Keith Holman at (202) 463-3144 or kholman@uschamber.com, or Matt Hite at (202) 463-5338 or mhite@uschamber.com.

If you would like to sign on to the comments, please e-mail Edward Walton at ewalton@uschamber.com by Friday, November 7, 2014.