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Ms. Donna Downing
Office of Water (4504-T)
U.S. Environmental Protection Agency
Washington, D.C. 20460

RE: Docket ID: EPA-HQ-OW-2017-0203; submitted via regulations.gov

**Comment on the Proposed Rule Titled “Definition of Waters of the United States” –
Recodification of Preexisting Rules**

Dear Ms. Downing:

On behalf of the members of the Tri-State Coalition for Responsible Investment (www.tricri.org), a coalition of Catholic institutional investors that integrate environmental and social issues into the management of our investment portfolios, I am writing to express strong opposition to the proposal of the Environmental Protection Agency and U.S. Army Corps of Engineers to repeal the Clean Water Rule.

Investors in our coalition have engaged with some of the world's largest corporations to encourage more robust and accountable water stewardship for over twenty years, and recognize that a strong regulatory framework is needed to mitigate negative impacts of business operations on water resources. While we commend the many companies taking actions to adopt policies and put practices in place to address water risks, protect water quality and reduce their water use, the clarity and certainty achieved through regulations are needed to encourage more systematic and consistent protection of water resources and water management across industries. The companies we engage depend on clean water for manufacturing, food production, safe drinking water for their workers, energy operations, and more. Maintaining clean water in small bodies of water like headwaters, wetlands, and ponds, has well proven positive impacts on the health of our water systems that are essential to business operations. We approach our corporate shareholder engagements within the framework of The UN Human Right to Water, which calls for the right to sufficient, safe, acceptable and physically accessible and affordable water for personal and domestic uses. Yet, too many communities throughout the nation struggle with access to clean water and a repeal of this rule and a signal toward the weakening of regulation would make this situation worse.

We urge the Administration to withdraw its proposal to repeal the Clean Water Rule immediately for the following reasons:

- **Repeal of the rule would pose risks to drinking water and the health of Americans and interfere with the Human Right to Water.** The Clean Water Rule protects small streams and wetlands across the United States that provide drinking water for one out of three Americans- roughly 117 million people. Repealing the Clean Water Rule puts the health of Americans at risk, because a repeal will mean more pollution to the lakes and streams individuals rely on for drinking water supplies. Removing this protection for the water bodies that feed drinking water, filter pollutants, and recharge groundwater could make things worse. The health crisis around lead contamination in Flint that hit the front pages, is just one of many communities nationwide that are facing similar challenges.
- **Repeal of the rule would introduce regulatory uncertainty.** The Clean Water Rule provides clarity on which bodies of water are protected under the Clean Water Act and repeal of this rule introduces uncertainty into the regulatory framework, thereby sending mixed messages to business and industry.
- **There are significant economic benefits associated with robust water management.** According to a December 2013 study from the EPA and US Army Corps of Engineers, the economic benefits of restoring protections to streams and wetlands would range from \$300 million to nearly \$400 million. In addition, there is evidence demonstrating there are economic benefits that accrue through the prevention of property damage from wetlands, such as the \$625 million of damage prevented by wetlands during Hurricane Sandy, which impacted the region where our organization and members are located.
- **Inclusive stakeholder engagement is essential to effective and appropriate regulations.** The Clean Water Rule was the product of extensive public engagement and scientific data. If revisions to the 2015 Clean Water Rule are undertaken, the agencies must engage in a thoughtful, inclusive, science-based, and legally sound process for doing so that considers the impacts of the rulemaking on various stakeholders.
- **Existing regulations already inadequately manage the risks to contamination of local drinking water and dumping due to insufficient accountability and oversight mechanisms. A repeal would exacerbate these existing risks.** Already, loopholes in the current Clean Water Act have made it possible to dump waste into many small streams and tributaries without fear of prosecution. In many cases, the loophole has rendered the EPA (and its sister agency on clean water issues, the U.S. Army Corps of Engineers) unable to protect communities.

- **Repeal of the Clean Water Rule would have disproportionate impacts on low income communities, communities of color, and rural communities.** Contaminated water can cause a variety of health problems, especially for children. In addition, small and rural communities, who rely on private wells or whose water systems lack the resources to deal with polluted sources, will be hit hard by this rollback.

The Clean Water Act has a very bold goal - to make all of our waters swimmable, fishable, and drinkable. Repealing the Clean Water Rule will make it much more difficult to achieve that goal and may pose negative economic risks. The health of our nation's rivers depends on the health of upstream waters. We are very concerned that headwater streams, ephemeral and intermittent streams, and our nation's wetlands will be jeopardized by the repeal of the Clean Water Rule. We urge you **not** to repeal the Clean Water Rule. Thank you for the opportunity to comment on this process.

Sincerely,

Mary Beth Gallagher
Executive Director