

United States Senate

WASHINGTON, DC 20510

February 11, 2019

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

The Honorable R.D. James
Assistant Sec. of the Army
Office of the Assistant Secretary for Civil Works
Department of the Army
108 Army Pentagon
Washington, DC 20310 – 0108

Dear Acting Administrator Wheeler and Assistant Secretary James:

We write to request an extension of the proposed comment period associated with the Environmental Protection Agency's (EPA's) and the U.S. Army Corps of Engineers' (Corps') proposed rule to replace the 2015 Clean Water Rule.

The 60-day comment period in the proposed rule is far too short to allow full review, careful analysis, and feedback from as many Americans potentially impacted by this endeavor as wish to share their views, including the millions of Americans who receive drinking water from the waterbodies affected by this proposal.

We would urge you to extend that comment period to at least the same duration as offered by the previous Administration – 207 days. As you know, EPA and the Corps extended the comment period on the prior rule twice in response to requests. The full comment period extended from April 21—November 14, 2014, yielding more than a million comments. It makes no sense to deny affected and concerned Americans the same opportunity to weigh in on your proposal to replace that rule.

Virtually every industry relies on clean water, and these interests—along with all Americans—want to know which waters are covered by federal law and regulation.

Given that your agencies have opted to affect the interests of these constituencies, every effort should be made to provide sufficient time for comment. Doing so will allow affected citizens to consider the proposal and its implications on their health, lives and livelihoods, and provide the feedback you seek. The 60 days you propose is simply not enough time to do so meaningfully.

We would appreciate hearing from you by February 25, 2019, on your intentions regarding this request.

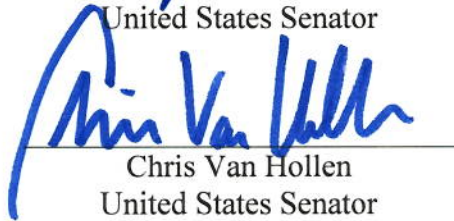
Sincerely,



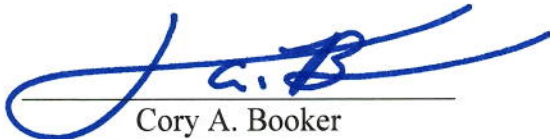
Tom Carper
United States Senator



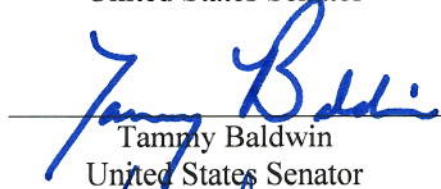
Tammy Duckworth
United States Senator



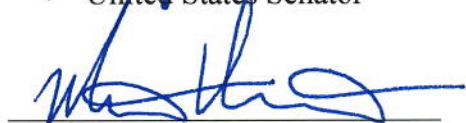
Chris Van Hollen
United States Senator



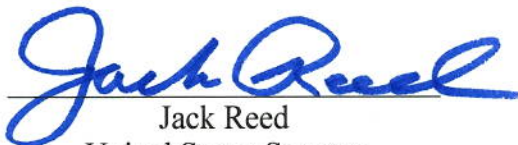
Cory A. Booker
United States Senator



Tammy Baldwin
United States Senator



Martin Heinrich
United States Senator



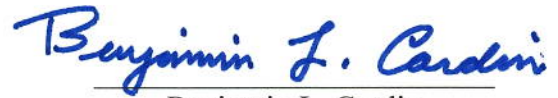
Jack Reed
United States Senator



Debbie Stabenow
United States Senator



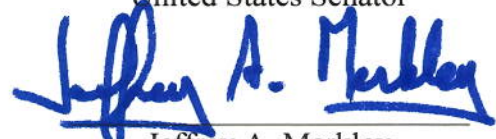
Edward J. Markey
United States Senator



Benjamin L. Cardin
United States Senator



Sheldon Whitehouse
United States Senator



Jeffrey A. Merkley
United States Senator



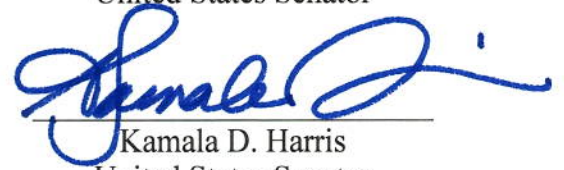
Richard Blumenthal
United States Senator



Sherrod Brown
United States Senator



Amy Klobuchar
United States Senator



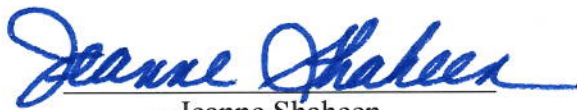
Kamala D. Harris
United States Senator



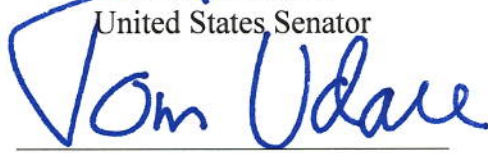
Kirsten Gillibrand
United States Senator



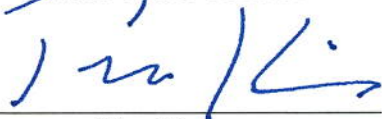
Margaret Wood Hassan
United States Senator



Jeanne Shaheen
United States Senator



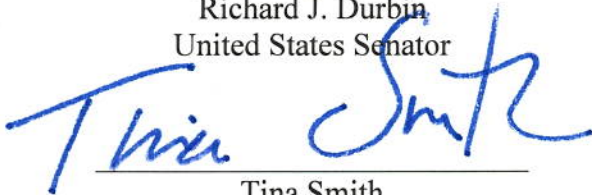
Tom Udall
United States Senator



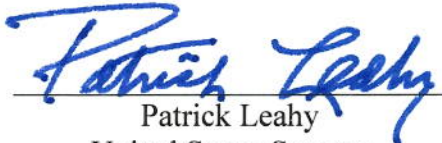
Tim Kaine
United States Senator



Richard J. Durbin
United States Senator



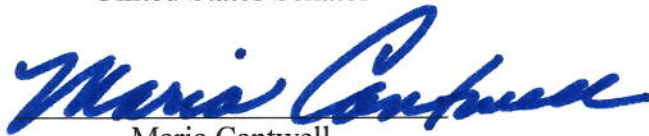
Tina Smith
United States Senator



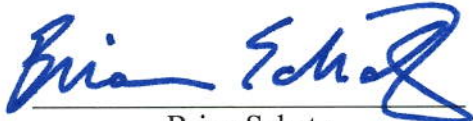
Patrick Leahy
United States Senator



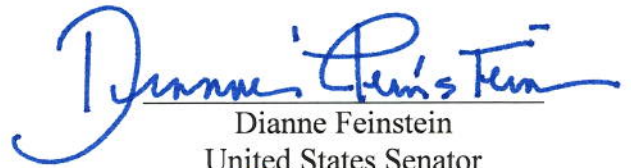
Mark R. Warner
United States Senator



Maria Cantwell
United States Senator



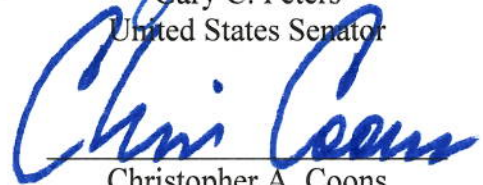
Brian Schatz
United States Senator



Dianne Feinstein
United States Senator



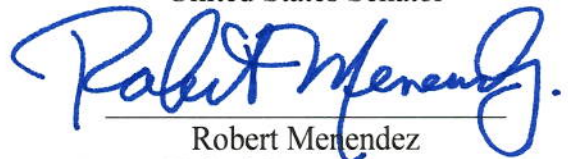
Gary C. Peters
United States Senator



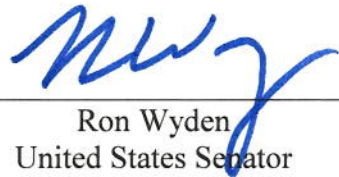
Christopher A. Coons
United States Senator



Bernard Sanders
United States Senator



Robert Menendez
United States Senator



Ron Wyden
United States Senator



Robert P. Casey
United States Senator



Patty Murray
United States Senator



Mazie K. Hirono
United States Senator