

January 5, 2026

The Honorable Lee Zeldin
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

The Honorable Adam R. Telle
Assistant Secretary of the Army for Civil Works
Department of the Army
108 Army Pentagon
Washington, DC 2

RE: Comments on Proposed Rule Revising the Definition of “Waters of the United States” (EPA-HQ-OW-2025-0322)

The undersigned 63 organizations submit these comments in strong opposition to the recently proposed rulemaking regarding the definition of “Waters of the United States” under the Clean Water Act. As proposed, the rule will dramatically weaken Clean Water Act protections for the nation’s waters and give developers and polluters additional, unwarranted license to degrade our nation’s waterways.

The scope of waters receiving Clean Water Act protections has already been alarmingly eroded as a result of the Supreme Court’s decision in *Sackett v. EPA*. The nation cannot afford any additional rollbacks to these protections. Instead of removing vital Clean Water Act protections from even more streams and wetlands, EPA and the US Army Corps of Engineers (Corps) should work to restore protections to better protect the waterways that are so vital to our communities, wildlife and the wellbeing of this country.

The Clean Water Act is a foundational law, based in science, that has been the main tool used to protect drinking water supplies and keep our rivers, lakes, and streams healthy. It protects water by using permits and instituting other safeguards to limit harmful dumping of sewage and industrial waste, preventing precious waterways from being damaged, contaminated, or destroyed. People everywhere need robust clean water protections to prevent industrial polluters from threatening the health and safety of people, wildlife, and critical ecosystems.

Polls consistently show that clean water is an American value, with up to [94% of voters from all parties supporting clean water protections](#). The U.S. Supreme Court significantly narrowed the scope of federal protections under the Clean Water Act, through its decision

in *Sackett v. EPA*. This decision removed safeguards for about two-thirds of the Nation's wetlands and up to 5 million miles of the nation's streams. To conform to this decision, the agencies released a new rule in 2023 – and no further action is required. Yet, this new proposed rulemaking strips away protections far beyond what the *Sackett* decision required, disregarding the science-based foundation and intent of the Clean Water Act, and the public's robust support for keeping strong protections for rivers, lakes, streams, and drinking water.

The proposed rule uses arbitrary and confusing methods to further restrict Clean Water Act safeguards to vital waterways, such as wetlands and streams. The value of wetlands and small streams to clean water is indisputable. Wetlands filter the water that eventually flows from our taps, provide immense flood storage and retention, recharge groundwater and streams during dry times, and provide valuable habitat for wildlife among many other functions. Likewise, streams that do not flow year-round provide over 50% of the flow or more to our most treasured rivers. This is our drinking water, the places that sustain us, and the places where we swim, hunt and fish. At least [117 million people](#) – and probably far more – get their drinking water from sources fed by these streams. Clean water also fuels economies – communities and businesses cannot function without it, and decades have shown that economic growth is not only compatible with, but benefits from, these protections.

Now is the time to strengthen clean water protections, not weaken them. We appreciate the opportunity to weigh in on this important matter. We hope the EPA and the Corps will take seriously their obligation under the law to protect our nation's waters, communities, and public health.

Sincerely,

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