

EPA's Waters of the United States Rule Aims to Gut Protections for Your Streams and Wetlands

Background

The EPA and Corps of Engineers have announced a plan to greatly reduce the definition of where the Clean Water Act applies, called Waters of the United States, to exclude many wetlands and smaller headwater streams. Laws that currently limit pollution and protect our right to clean water only apply in these areas, and removing wetlands and small streams would allow a free for all of unchecked pollution and increased risk of flooding throughout North Carolina and the nation. As we know, pollution upstream flows downstream into drinking water intakes and fish habitat, and wetlands serve as important buffers to filter pollution and mitigate flooding.

We have until April 15th 2019 to send EPA comments urging that they reconsider and continue to protect clean water!

In the face of the biggest threat to clean water in decades, it is important to demonstrate broad public opposition and give political cover for North Carolina to protect North Carolinians access to safe, clean water by opposing the EPA's rule.

Additional Information

We will have more information as things move forward, and information about ways you can take action on our website:

<https://soundrivers.org/clean-water-act/>

SELC has prepared a very helpful factsheet focused on the proposed rule and how it would impact North Carolina:

https://www.southernenvironment.org/uploads/pages/NC_CWDI_Factsheet_0119_F.pdf

Actions to Take

Sound Rivers staff are happy to help you with LTEs, OpEds, or answer questions so you can write your own comments to EPA, please let us know if we can help you!

- **Letters to Governor Cooper:** Send a letter to Governor Cooper and urging that the state oppose EPA's rule. <https://actionnetwork.org/letters/nc-fight-for-clean-water/>
- **Letter to the Editor:** Write a Letter to the Editor to demonstrate public support for clean water.
 - Washington Daily News, 300 words or less
<https://www.thewashingtondailynews.com/services/letters-to-editor/>
 - Greenville Daily Reflector, 300 words or less
<http://www.reflector.com/Submit-Your-Letter>
 - Raleigh News & Observer, 200 words or less
<https://www.newsobserver.com/opinion/letters-to-the-editor/submit-letter/>

- New Bern Sun Journal, max 500 words, send word document to Ken.Buday@newbernsj.com
- Rocky Mount Telegram, max 400 words, email to <mailto:gmetrick@rmttelegram.com>
- **Guest Editorial (OpEd):** Reach out to your networks and identify important voices to write a guest opinion (OpEd) piece for a local paper. Examples of some types of valuable voices include business owners such as fishing guides discussing the importance of clean water to the, or health care professionals talking about the importance of clean water for public health.
- **Personal Connections:** If you have contacts with staff, or even senior leadership at NC DEQ, NC DOJ, or the Governor's office, consider reaching out to them and talking about how important it is that NC come down on the right side of this and oppose EPA's rollbacks through strong comments and even legal action.
- **Submit Comments to EPA:** Due by April 15th, comments can be submitted to EPA regarding the rule. Sound Rivers has an easy way to do this on our website at <https://soundrivers.org/clean-water-act/> but for the ambitious the rule is available at <https://www.epa.gov/wotus-rule/revised-definition-waters-united-states-proposed-rule> and comments can be emailed to OW-Docket@epa.gov. Include Docket ID No. EPA-HQ-OW-2018-0149 in the subject line of the message.

Talking Points (from SELC)

EPA's proposed rule is taking away protections that were put in place under the Reagan Administration.

- If you can wade through the confusing mess that is this proposal, the bottom line is clear that it's a disaster for our country's waters and wetlands. It means removing protections for more than 49,000 miles of streams and millions of acres of wetlands just in North Carolina - protections that have been in place for decades and are needed now more than ever.
- EPA's proposed rule is disastrous for wetlands, which are critical to filtering our waters and buffering against storms and sea level rise. The idea of slashing protections at a time of increased flooding defies all logic.
- Wetlands are vital to the South. Of particular note while Southern communities are still recovering from devastating recent flooding events, wetlands can [help absorb floodwaters](#) and [lessen the height and speed of flooding](#)--as EPA itself documents.
- We know thousands of smaller streams—a significant percentage of all streams—will definitely lose protections. But the confusing way this is written, not based on science, means many more waters may be at risk. EPA itself says it doesn't know exactly what will lose protections, which in itself is concerning to say the least. They've promised clarity but delivered confusion, but that shouldn't distract us from the bottom line that they are removing protections that have been in place for generations and that we all take for granted in keeping our water safe.
- EPA's proposed rule adds new exceptions and expands old ones-- exemptions for mining operations and waste treatment facilities, for example—that will take a while to figure out. Those exemptions have the potential to be extremely destructive.

Clean Water Op-Ed and LTE Guidance (from SELC)

Voicing your opposition to a proposal by politicians in Washington, DC, to significantly limit the Clean Water Act is critical for building momentum to protect these vital safeguards. Drafting a letter to the editor (LTE) or op-ed can be an effective way to help increase pressure on the EPA and urge your local elected officials, members of Congress, governors, state government and other influential locals to stand up and take action.

General guidelines:

The most effective letters to the editor are written in local, hometown papers. Each of these newspapers has its own guidelines, so it's a good idea to check your target newspaper's website for submission requirements. As a general rule for op-eds, the ideal length is between 500 and 750 words, which gives you room to build your argument with a series of supportive points/evidence. For LTEs, you should stick to 200 words or less, keeping the focus on a single point you want to make.

Whenever possible, it is important to tailor your op-ed or LTE to your specific audience by weaving in state-specific numbers, programs, and personal stories to make the piece your own.

Drafting your piece:

Open by stating your urgent problem:

For example:

- As a local fisherman/business owner/etc., I am concerned about efforts to weaken the Clean Water Act, which would allow more pollution into our rivers, lakes, and the drinking water sources that our families and communities use.
- At the bidding of industry and politicians, the federal government is rewriting our water laws to protect big polluters instead of our communities and families.
- Politicians in Washington's scheme to dismantle the nation's clean water protections is an assault on our communities and families.

TIP: The opening can also be a good place for a compelling story or anecdote from your work, and why you care about stopping attacks on clean water protections under America's Clean Water Act.

Describe what's at stake in your state and throughout the region:

For example:

- Clean water is fundamental to our health and way of life. We must continue to protect the lakes, rivers, and streams where we swim, fish, and drink from.
- Every day, our families count on clean water for drinking, cooking, and bathing. Our local businesses depend on clean water—from our breweries, restaurants, and family

farms to fishing, hunting, and outdoor recreation businesses. The health of our waters, families, and communities are tied together throughout the South.

- We can't trust polluters to regulate themselves, we need baseline clean water protections to prevent harmful pollution and protect the water we drink and depend on.
- The administration wants us to believe water doesn't flow downstream – and pollution along with it. But we know the best way to protect clean water is to stop harmful pollution at its source.
- Ending clean water protections would allow more pollution into our rivers, lakes, and the drinking water sources that our families and communities use every day.

Incorporate local facts and figures:

For example:

- Without basic safeguards in place, the waters that more than 20 million Southerners depend on for drinking water and that support more than \$130 billion in tourism every year in the region would be at risk.
- Every year, over 47 million Americans head into the field to hunt or fish. The money that hunters and fishers spend in pursuit of their passion supports everything from major manufacturing industries to small businesses in communities across the country. The economic benefits of hunting and fishing – which total \$200 billion a year – are especially pronounced in rural areas, where money brought in during fishing and hunting seasons can keep small businesses operational for the entire year.
- The outdoor recreation economy supports 7.6 million jobs and \$887 billion in consumer spending—and it all depends on clean water.
- These invaluable waterways support our fishing and duck hunting, and the jobs these activities sustain. That's not to mention the drinking water these headwaters provide to 1 of every 3 Americans.

As necessary, include background that supports your argument:

For example:

- For nearly 50 years, the Clean Water Act has protected America's families and communities by preventing unchecked and unlimited pollution from contaminating our waterways and drinking water sources.
- The Clean Water Act provides the legal backbone for state and local environmental agencies to keep our waters free of unlawful pollution.
- The Clean Water Act has provided a fundamental baseline of water protections for decades now, so all Americans could have clean water. It cleaned up America's waterways and has been one of the most successful environmental protections in our history.
- In the South, we all know that local and state officials are underfunded and cannot effectively protect our clean water. We depend on a national law to safeguard clean water at the source, upstream, and downstream to protect our communities, kids and everyday life.

End with a call to action:

Be specific. Call on your elected officials or local agency representatives by name and urge them and others in your community to fight against efforts to undermine the Clean Water Act. Who you should call on might depend on where we are in this process and the local landscape of elected officials and state agencies.

- It's more important than ever to speak up and urge our elected officials to fight to preserve those protections and to prevent a repeal of the commonsense standards that have allowed economic prosperity and environmental protection to go hand in hand over the last 50 years.
- [INSERT LOCAL OFFICIAL/AGENCY] must speak out against the federal proposal to shrink the Clean Water Act's protective shield.
- Together, those of us who love this region we call home must beat back these threats to the streams, rivers, lakes, and coastal waters we hold dear.

Guidelines for submitting your letter or op-ed

Go back to the instructions for writing your letter

- Some papers will have online forms, some will ask you to email them to an editor. Read your letter or op-ed over twice to make sure your points are clear and there are no typos. Then, follow the instructions and submit your piece.

Call the paper to follow up a day or two later if you do not see it online or in the paper

- Call and ask for the editorial desk or whomever processes LTE and op-ed pieces.
- Just say: "Hi my name is _____, and I submitted a letter to the editor/op-ed on my local take on the proposed weakening of clean water protections by politicians in Washington, DC. I wanted to make sure you received my letter/op-ed and see if it's something you might run. Thanks so much!"