

Blackford County Surveyor

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To: CW.Awotus@epa.gov

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IN RE: Waters of the United States Rulemaking
Comments from State and Local Officials

As a County Surveyor with duties including but not limited to storm water drainage, farm land drainage infrastructure and water quality in Blackford County, IN.

I am thankful to the EPA and USACOE for the opportunity to provide comments, and supports clarification and predictability in definition of Waters of the U. S. I do not believe, however, an immediate expansion of the definition from the previous guidance is necessary. If a new definition of clarification advances through the rule making process, it should only attempt to clarify and ambiguity in the current rule.

I believe the Justice Scalia opinion in *Rapanos vs. United States* (2006), should be the standard for defining Waters of the U. S. The definition of navigable waters should be interpreted in the Clean Water Act as "relatively permanent waters" and "wetlands with a continuous surface connection" to "relatively permanent" waters. Waters without a hydrological or ecological connection to other navigable waters do not fall within the jurisdiction of the Clean Water Act.

I believe the definitions of "relatively permanent" and "continuous surface connection" should be limited to perennial streams that carry flow throughout the year, except during extreme drought or freezing temperatures. Diffused surface water flowing vagrantly over the surface of the ground should not be considered public water or under the jurisdiction of the Clean Water Act.

Again thank you for this opportunity to provide comments, and I look forward to providing additional feedback as you proceed through the rule making process.

Sincerely , /



Paul K. Schriver

Blackford County Surveyor