



HENRY MCMASTER

June 19, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
Washington, DC 20460

Dear Administrator Pruitt:

Thank you for your letter of May 8, 2017, inviting comments from state and local governments in connection with a forthcoming proposal to revise the definition of “waters of the United States” (“WOTUS”). We appreciate President Trump’s February 28, 2017 Executive Order, and we remain grateful for his Administration’s willingness to consult with state and local officials prior to proposing regulations that will have significant federalism implications. Your recent letter is precisely such an example of prioritizing a cooperative relationship with state governments.

South Carolinians treasure their precious natural resources; however, your letter touches on the practical difficulties facing public and private stakeholders in their efforts to be good stewards of our environment. States need a clear rule that defines WOTUS based on objectively identifiable characteristics in order to reasonably administer the program within their borders. Such a definition will help avoid protracted litigation and other costs that divert scarce but critical resources from protecting state and federal waters. To this end, we respectfully request that the EPA conduct a thorough review of congressional intent and judicial interpretations, including Justice Scalia’s well-reasoned opinion in the *Rapanos* case, and craft a new definition of WOTUS and related terms.

We appreciate your leadership in this arena and your willingness to partner with state governments. As we continue to hear from key stakeholders in South Carolina regarding the issues raised in your recent letter, we look forward to providing additional input in the future as the EPA considers this important issue.

Yours very truly,

A handwritten signature in blue ink that reads "Henry McMaster".

Henry McMaster