



Terry McAuliffe
Governor of Virginia
Chair

Brian Sandoval
Governor of Nevada
Vice Chair

Scott D. Pattison
Executive Director/CEO

June 19, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (1101A)
Washington, D.C. 20510

The Honorable Douglas W. Lamont, P.E.
Senior Official Performing the Duties of the
Assistant Secretary of the Army
Civil Works
441 G Street, NW
Washington, D.C. 20510

Dear Administrator Pruitt and Senior Official Lamont:

In 2014, we wrote to your agencies to ask for greater clarity and continued consultation with states regarding a proposal from the Environmental Protection Agency to define what waters come under the jurisdiction of the Clean Water Act. Today we again ask that you consider state input as you continue to work on this critical issue.

Governors are committed to maintaining a vibrant and strong partnership with the Administration to promote a balanced federal system. To accomplish this, Governors believe that states should be actively involved in a cooperative effort to develop federal policy and regulations.

Recognizing that states are the primary authority for regulating waters within their boundaries, there is a substantial need to collaborate and consult with states throughout any new rulemaking process to ensure states have maximum flexibility to achieve federal objectives. Any new rule should give as much weight and deference as possible to state needs, priorities and concerns, as states will be tasked with much of the responsibility of implementing and enforcing any final rule. We request that you thoughtfully seek out and consider input by individual states, recognizing their authority under the Clean Water Act, as well as protections states can provide outside of the Act.

We look forward to working with you to increase the level of consultation with states and provide the clarity that is needed for this proposed rule.

Sincerely,

Governor Edmund G. Brown Jr., California
Chair, Natural Resources Committee

Governor Matthew H. Mead, Wyoming
Vice Chair, Natural Resources Committee