

US EPA ARCHIVE DOCUMENT

## Persons and Organizations Requesting Clarification of “Waters of the United States” By Rulemaking

Request for a rulemaking process does not imply support for the rule as proposed.

### State/Tribal Government Agency/Elected Official

- Governor Sean Parnell, State of Alaska
- New Mexico Environment Department, Surface Water Quality Bureau
- New York Department of Environmental Conservation
- Virginia Department of Transportation
- Washington State Department of Ecology
- Washington State Department of Fish and Wildlife
- Yerington Paiute Tribe

### Local Government Agency/Elected Official

- New York City Department of Environmental Protection
- Many county commissioners from across the country

### State, Tribal and Local Agency Associations

- American Association of State Highway and Transportation Officials (AASHTO)
- Association of Fish & Wildlife Agencies
- Association of State and Interstate Water Pollution Control Administrators (now Association of Clean Water Administrators) (ACWA)
- Association of State Drinking Water Administrators
- Association of State Floodplain Managers
- Association of State Wetland Managers
- (San Francisco) Bay Area Clean Water Agencies (BACWA)
- Coastal States Organization
- Conservation Leaders Network
- Environmental Council of the States (ECOS)
- The Ground Water Protection Council
- National Association of Clean Water Agencies (NACWA)
- National Association of State Departments of Agriculture
- National Association of State Foresters

### National Environmental NGO

- American Bird Conservancy
- American Fisheries Society
- American Rivers
- American Sportfishing Association
- Backcountry Hunters and Anglers
- B.A.S.S, LLC
- Clean Water Action
- Clean Water Network
- Defenders of Wildlife
- Ducks Unlimited
- Earthjustice
- Environment America
- Environmental Defense Fund
- Federation of Fly Fishers
- Izaak Walton League of America
- National Parks Conservation Association (NPCA)
- National Wildlife Federation
- Natural Resources Defense Council

- Sierra Club
- Theodore Roosevelt Conservation Partnership
- Trout Unlimited

- Waterkeeper Alliance
- The Wildlife Management Institute
- The Wildlife Society

**National NGOs**

- Foundation for Environmental and Economic Progress
- Public Lands Council
- National Garden Clubs

- RISE - Responsible Industry for a Sound Environment
- Utility Water Act Group
- Water Environment Federation (WEF)

**Local NGOs**

- Alabama Rivers Alliance
- Bayou Land Conservancy
- Black Warrior Riverkeeper
- Center for a Sustainable Coast
- The Chattooga Conservancy
- Choctawhatchee Riverkeeper
- Eagle River Watershed Council, Inc.
- Environment Georgia
- Georges River Tidewater Association
- High Country Citizens' Alliance
- Lands Council
- Mississippi River Collaborative
- North Carolina Conservation Network
- Neuse Riverkeeper Foundation

- Northwest Environmental Defense Center
- Ohio Environmental Council (OEC)
- Pamlico-Tar River Foundation & Pamlico-Tar Riverkeeper
- South Carolina Coastal Conservation League
- Southern Environmental Law Center
- Tennessee Clean Water Network
- Western North Carolina Alliance & French Broad Riverkeeper
- Western Organization of Resource Councils
- Wynch Rivers Foundation and Waccanaw Riverkeeper

**Regulated Community - General**

- American Iron and Steel Institute
- Edison Electric Institute
- International Council of Shopping Centers

- National Association of Manufacturers
- Western Business Roundtable

**Regulated Community - Agriculture**

- Agricultural Retailers Association
- American Farm Bureau Federation
- CropLife America
- The Fertilizer Institute
- Florida Sugar Cane League
- Irrigation Association
- National Cattlemen's Beef Association

- National Corn Growers Association
- National Council of Farmer Cooperatives
- National Milk Producers Federation
- National Pork Producers Council
- Southern Crop Production Association
- United Egg Producers

### **Regulated Community - Development**

- Associated General Contractors of America
- NAIOP, the Commercial Real Estate Development Association
- National Association of Home Builders
- National Multi Housing Council
- The Real Estate Roundtable

### **Regulated Community - Resource Extraction**

- American Forest & Paper Association
- American Gas Association
- American Petroleum Institute
- America's Natural Gas Alliance
- Industrial Minerals Association - North America
- National Mining Association
- National Stone, Sand and Gravel Association

### **Regulated Community - Transportation**

- American Road and Transportation Builders Association

## Waters of the United States Quotes

- “It is NFU’s hope that this rule will clear up CWA jurisdiction in a way that gives farmers and ranchers more certainty. In particular, we hope that the draft rule clarifies CWA jurisdiction so that it encourages increased enrollment in important U.S. Department of Agriculture (USDA) conservation programs.”
  - Roger Johnson, President of National Farmers Union, November 6, 2013
- “We believe that clear and consistent interpretation of these provisions could provide significant and immediate relief to the state DOTs.”
  - Shannon Eggleston, Program Director for Environment at AASHTO, November 29, 2011
- “We have long believed that there is an opportunity, through a rulemaking that balances the many interests that lie at the heart of the jurisdictional issues, to improve water quality without increasing burden and delay on activities that are at the core of a growing, vibrant economy.”
  - February 12, 2013
    - Waters Advocacy Coalition, including
      - Agricultural Retailers Association
      - American Farm Bureau Federation
      - American Forest & Paper Association
      - American Iron and Steel Institute
      - American Petroleum Institute
      - American Road and Transportation Builders Association
      - Associated General Contractors
      - CropLife America
      - Edison Electric Institute
      - Florida Sugar Cane League
      - Foundation for Environmental and Economic Progress
      - Industrial Minerals Association-North America
      - International Council of Shopping Centers
      - Irrigation Association
      - NAIOP, The Commercial Real Estate Development Association
      - National Association of Home Builders
      - National Association of Manufacturers
      - National Association of REALTORS
      - National Cattlemen’s Beef Association
      - National Corn Growers Association
      - National Council of Farmer Cooperatives

- National Milk Producers Federation
  - National Mining Association
  - National Multi Housing Council
  - National Pork Producers Council
  - National Stone, Sand & Gravel Association
  - Public Lands Council
  - Responsible Industry for a Sound Environment
  - Southern Crop Production Association
  - The Fertilizer Institute
  - Treated Wood Council
  - United Egg Producers
  - Western Business Roundtable
- “A clear understanding of the Clean Water Act’s reach and application is essential to the regulated community, the American public, and the state and federal agencies charged with protecting the nation’s waters.” – January 31, 2013
  - Gus Rassam, PhD, Executive Director of American Fisheries Society
  - Larry Schweiger, President and CEO of National Wildlife Federation
  - Ben Bulis, President of American Fly Fishing Trade Association
  - Mark Tercek, President and CEO of The Nature Conservancy
  - Gordon C. Robertson, Vice President of American Sportfishing Association
  - Paul Krausman, CWD, President of The Wildlife Society
  - Noreen Clough, Conservation Director of BASS, LLC
  - Whit Fosburgh, President and CEO of Theodore Roosevelt Conservation Partnership
  - Jim Martin, Conservation Director of Berkley Conservation Institute
  - Chris Wood, President of Trout Unlimited
  - Gaspar Perricone, Co-Director of Bull Moose Sportsmen’s Alliance
  - Scott Kovarovics, Executive Director of Izaak Walton League of America
  - Steve Williams, President of Wildlife Management Institute
- “To protect our cherished waters like the Colorado River, we urge you to finalize your guidelines and move forward with a rulemaking to restore critical protections to these waters under the Clean Water Act and reaffirm the broad scope of the Clean Water Act that existed for more than three decades. We believe, by restoring the Clean Water Act, that your administration can put us back on track to becoming a country where all farmers can depend on clean water for their crops and livestock, and all Americans will have access to water that is safe for swimming, fishing, and drinking.”
  - Colorado Farming Coalition, January 12, 2012
    - Regan Wattle, Owner of 2 R’s Farm
    - Amanda Scott, Owner of 63<sup>rd</sup> Street Farm
    - Steven Sherer, Owner of Aloha Organic Fruit
    - Jason Griffith, Owner of Aspen Moon Farm LLC

- Tim and Claudia Ferrell, Owners of Berry Patch Farm
  - Lena Macias, Owner of Black Forest Farmstead
  - Becky Elder, Partner at Blue Planet Earthscape
  - Patti Locke, General Partner at Burritt Farms LLLP
  - Mary Madison, Owner of Cherry Creek Alpacas
  - Rob Knowles, Owner of Clean Dirt Farm
  - Betsy Morris, Owner of Country Roots
  - Anne Cure, Owner of Cure Organic Farm
  - Linda Batt, Owner of Delphi Alpacas
  - Scott Rittinger, Owner of Double B R Ranch
  - Diane Cribley, Owner of Falkor Ranch Alpacas
  - Ian Chamberlain, Owner of Farm-i
  - Kristy Hal, Owner of Five Angels Ranch
  - Chris and Michele Burke, Owners of Fresh Markets
  - Elaine Granata, Owner of Granata Farms
  - Kerry Kalarney, Owner of Green Place Ranch
  - Brian and Leda Viart, Owners of Harvest Acres
  - Katie Rosing-Miller, Owner of Heritage Belle Farm
  - Dennis Duncan, Owner of High Altitude Rhubarb
  - Richard Andrews, General Partner at J.M. Andrews Family Farm LLLP
  - Jane Levene, Owner of Jefferson Farms Alpacas and Paco-Vicunas
  - Henry Jupille, Owner of Jupille Ranch
  - Kirstie Lea Ginnodo, Owner of Lone Eagle Alpaca Farm
  - Lisa Sadler, Manager of Moon Hill Dairy
  - Sally Merrell, Owner of My Safe Haven Farm
  - Becky Elder, Partner at Pikes Peak Permaculture
  - Cynthia Houseweart, Owner of Princess Beef
  - Phil Haynes, Owner of Rocky Plains LLP
  - Meg James, Owner of Sprout City Farms
  - Brent L. Holt, Owner of Sunrise Ridge Alpacas
  - Brook LeVan, Executive Director of Sustainable Settings Ranch
  - Kristie Martin, Owner of The Storehouse
  - Susan Gordon, Owner of Venetucci Farms
  - Lisa Billings, Owner of Warrior Spirit Ranch
  - Wayne Talmage, Owner of White Buffalo Farm
  - Dennis and Elaine Kist, Owners of Windkist Ranch and Dairy
  - Karen Woolley, Owner of Wooley Alpaca Ranch
- “As recreational businesses in Colorado, we write you to urge you to restore critical Clean Water Act protections to Colorado’s waterways and waters nationwide by finalizing guidelines and proposing a permanent standard. Our waterways are part of what make Colorado beautiful, thriving, and prosperous. The people of Colorado need clean water for drinking water, fishing,

swimming, agriculture, recreation, and we depend on the tributaries and wetlands that feed into waterways like the Colorado River.”

- Coalition of Colorado recreational businesses, January 12, 2012
  - 4 Corners Whitewater
  - Acquired Tastes Rafting
  - adventures bound incorporated
  - Angler’s Covey
  - Arkansas River Tours
  - Arkansas Valley Adventures
  - Bennett’s Inc.
  - Black Canyon Anglers
  - Blazing Adventures
  - Blue Quill Angler
  - Breckenridge Adventure Tours
  - Centennial Canoe Outfitters
  - Christy Sports
  - Clear Creek Outdoors
  - Colorado Skies Outfitters
  - Colorado Wilderness Rides and Guides
  - Confluence Kayaks
  - Crystal Fly Shop
  - Cutthroat Anglers
  - Dvorak Expeditions
  - Feisty Fins Outfitters
  - Fly Fishing Outfitters
  - Front Range Anglers
  - GEO Tours Whitewater Raft Trips
  - Ghillies Fly Shop
  - Hatch Fly Shop
  - Hog Island Boat Works
  - Holiday River Expeditions
  - Independent Whitewater
  - Mountain Waters Rafting & Adventure Company LLC
  - Raft Masters
  - Ripboard
  - Roaring Fork Anglers
  - Royal Gorge Rafting & Zipline Tours
  - San Juan Angler
  - Small World Adventures
  - St. Peter’s Fly Shop
  - Toad’s Guide Shop
  - White Water Adventure Outfitters



- Wolf Creek Anglers
- “These elected officials support your efforts to restore Clean Water protections guidance because they understand the importance of clean water. Their constituents need clean water for drinking water, fishing, swimming, agriculture, recreation, and the wellbeing of the communities – and furthermore depend on the tributaries and wetlands that feed into America’s waterways, from the Chesapeake Bay to the Great Lakes and Puget Sound and many in between.”
  - Margie Alt, Executive Director of Environment America, May 7, 2012
  - 439 elected officials from 30 states
- “NACWA is broadly supportive of efforts to strengthen the water quality protection afforded by the CWA when done as part of a holistic watershed approach, and believes the proposed guidance takes some important steps in this direction. However, the issue of CWA jurisdiction deserves the full attention of the rulemaking process and the formal notice and comment procedures that go with it.”
  - Ken Kirk, Executive Director of NACWA, July 29, 2011
- “As national experts in water and ecosystem science, we ask you to call on Congress to pass the Clean Water Restoration Act as quickly as possible to ensure that the best available science can once again guide protection of our Nation’s waters. This legislation is urgently needed to ensure that Clean Water Act protections are provided for clean drinking water, public safety, and fish and wildlife habitat...We cannot protect our mighty rivers unless we also protect our vast array of small streams and wetlands. It is equally clear that they must be protected if we are to achieve the Clean Water Act’s goals of restoring and maintaining the chemical, physical, and biological integrity of the Nation’s waters.”
  - Margaret A. Palmer, PhD, Professor and Director of Chesapeake Biological Laboratory, February 25, 2009
  - + 160 other scientists
- “Clarification of the scope of federal regulation is essential to building and retaining public trust, and to the efficient operation of our agencies in cooperative environmental programs.”
  - July 26, 2011
    - R. Steven Brown, Executive Director of Environmental Council of the State
    - Kristen Fletcher, Executive Director of Coastal States Organization
    - Mike Paque, Executive Director of The Ground Water Protection Council
    - Larry Larson, Executive Director of Association of State Floodplain Managers
    - James D. Taft, Executive Director of Association of State Drinking Water
    - Alexandra Dapolito Dunn, ASIWPCA Executive Director & General Counsel
    - Ronald J. Regan, Executive Director of Association of Fish & Wildlife Agencies
    - Jeanne Christie, Executive Director of Association of State Wetland Managers

- Jay Farrell, Executive Director of National Association of State Foresters
- “We urge the president to follow through on his administration’s promise by finalizing this guidance immediately and continuing the work to fully restore our nation’s critical clean water protections, so that our families and kids can safely swim in, fish in, and drink from our waters.”
  - Marty Hayden, Earthjustice Vice President of Policy and Legislation, February 21, 2013
- “Simply put, the Clean Water Act cannot work well if there is confusion about which waters are protected by its provisions and which are not. Key to answering this central water policy question is the science documenting the roles played by headwater streams and wetlands – resources that are central to fish, wildlife and our nation’s invaluable sporting traditions – in the health of rivers, lakes and bays downstream.”
  - Steve Moyer, Vice President for Government Affairs at Trout Unlimited, October 18, 2013
- “Ducks Unlimited is pleased to see this support for cleaner water from the president’s administration. We applaud their strong, clear stance on this issue, which is a top priority for Americans sportsmen. The proposed legislative restoration of Clean Water Act protections for wetlands and other waters also contains guarantees that America’s farmers and ranchers can continue to work their land as they have for decades. The restoration of protections lost in 2001 is critical to ensure that our waters will be shielded from pollutants and that our wetlands will continue to provide fish and wildlife habitat for generations to come.”
  - Dr. Scott Yaich, Ducks Unlimited Director of Conservation Operations, May 22, 2009
- “We are very encouraged to see the release of this draft guidance and support the agencies’ efforts to restore CWA protections...we are hopeful the draft guidance will go a long way toward reducing confusion about Clean Water Act Administration. Administrative guidance is needed in order to restore protections to many wetlands. We applaud the agencies for taking this step and encourage them to initiate a rulemaking as quickly as possible to foster a public process that eliminates confusion and restores protection to wetlands that are most important to waterfowl.”
  - Dale Hall, CEO of Ducks Unlimited, April 28, 2011
- “The Council urges EPA and the Corps to ensure that the guidance and any related regulations comply with *SWANCC* and *Rapanos*, while also providing clear and recognizable limits on CWA jurisdiction. In carrying out these tasks, EPA and the Corps should also ensure that the guidance does not displace nor circumvent the regulatory and legislative process.”
  - Weir Labatt III, Chair of Western States Water Council, July 29, 2011

- “States bear the primary responsibility for preventing, reducing, and eliminating water pollution. By providing greater consultation with states, formal rulemaking is more likely than guidance to produce actual water quality improvements because it would better take into account state needs and perspectives, as well as the states’ on-the-ground expertise and knowledge of water quality conditions and challenges within their borders.”
  - Phillip C. Ward, Chair of Western States Water Council, April 10, 2013
- “The scope of the CWA jurisdiction is of fundamental importance not only to entities regulating, or discharging to, ‘waters of the United States,’ but to the entire Nation. The rulemaking will have sweeping economic implications...It is critical that the Agencies take the proper steps to ensure that the regulations provide an appropriate and clear definition of ‘waters of the United States’ consistent with the CWA and the Supreme Court decisions.” - November 8, 2011
  - John L. Mica, Chairman of Committee on Transportation and Infrastructure
  - Bob Gibbs, Chairman of Subcommittee on Water Resources and Environment
  - James M. Inhofe, Ranking Member of Committee on Environment and Public Works
  - Jeff Sessions, Ranking Member of Subcommittee on Water and Wildlife
- “The availability of an adequate supply of clean water is vital to our nation, and integrated and cooperative programs are important for protecting water quality. To that end, it is important that the federal, state and local government work together to craft reasonable and workable stormwater rules and regulations. – January 31, 2011
  - Donald J. Borut, Executive Director of National League of Cities
  - Tom Cochran, CEO and Executive Director of the United States Conference of Mayors
  - Larry E. Naake, Executive Director of National Association of Counties
- “From cattle-ranchers to blueberry farmers, we all know how critically important clean water is to our livelihoods and the vitality of our communities. Across the country, farmers depend on clean water for crops, livestock, drinking water, and the wellbeing of our families. We have a close relationship with the tributaries and wetlands that feed into our iconic waterways and stewardship of America’s water resources is integral to our economic success...We believe, by restoring the Clean Water Act, that your administration can put us back on track to be a country where all farmers can depend on clean water for their crops and livestock, and all Americans will have access to water that is safe for swimming, fishing, and drinking.” – December 16, 2013
  - 107 Farmers from 12 states
- “Supreme Court decisions and subsequent agency guidance have created confusion and uncertainty regarding what waters are protected under the Clean Water Act. This uncertainty has left nearly 60% of our nation’s streams, 20 million acres of wetlands, and the drinking water for 117 million Americans at risk of even more pollution...We urge the Science Advisory Board to

finalize a strong report on the connectivity of our waters that reflects the best science available, including that which shows the importance of protecting isolated wetlands across the country.”

- 87 academics from 21 universities, December 16, 2013

- “As members of the United States House of Representatives, we urge you to swiftly propose a rule to restore protections to all of our nation’s waterways. For the sake of our communities and the prospects of having waterways clean enough to swim in, fish in, and drink from, we must have a rule that protects all waters of the United States under the Clean Water Act, and we need your leadership to make that vision a reality.”

- 89 members of the United States House of Representatives, December 16, 2013

- “Agencies delegated rulemaking authority under a statute such as the Clean Water Act are afforded generous leeway by the courts in interpreting the statute they are entrusted to administer. Given the broad, somewhat ambiguous, but nonetheless clearly limiting terms Congress employed in the Clean Water Act, the Corps and the EPA would have enjoyed plenty of room to operate in developing *some* notion of an outer bound to the reach of their authority. The proposed rulemaking went nowhere. Rather than refining its view of its authority in light of our decision in *SWANCC*, and providing guidance meriting deference under our generous standards, the Corps chose to adhere to its essentially boundless view of the scope of its power. The upshot today is another defeat for the agency. It is unfortunate that no opinion commands a majority of the Court on precisely how to read Congress’ limits on the reach of the Clean Water Act. Lower courts and regulated entities will now have to feel their way on a case-by-case basis. This situation is certainly unprecedented. What is unusual in this instance, perhaps, is how readily the situation could have been avoided.”

- Chief Justice Roberts, concurring opinion in *Rapanos*, June 19, 2006

- “It is our view that the underlying problems associated with the Guidance and its implementation reinforces the need for rulemaking. Indeed, both the EPA and the Corps have acknowledged that only through a rulemaking may real and meaningful lines, specificity and direction be provided. We strongly encourage the agencies to move quickly on this rulemaking effort.”

- Tennessee Farm Bureau Federation, January 18, 2008

- “AMA cannot overstate the importance of implementing a clearly defined, objective, and defensible wetlands determination process to forestall future lawsuits which are costly to the Federal Government as well as the mining industry. This guidance document should be replaced by well defined, science-based, defensible procedures that will require rulemaking and its associated public process. We encourage the EPA/ACOE to begin the rulemaking process immediately.”

- Alaska Miners Association, Inc. (AMA), January 21, 2008

- “NAHB contends that the completion of a rulemaking regarding these matters is the only reasonable outcome...NAHB respectfully requests that the agencies follow the Supreme Court’s instruction in *Rapanos*, carry through on their many and long-standing promises to provide clarity and predictability, and engage in rulemaking to define the scope of their regulatory authority under the CWA.”
  - National Association of Home Builders (NAHB), January 18, 2008
- “USWAG endorses the comments submitted by the Associated General Contractors of America, the Utility Water Act, American Gas Association, National Association of Home Builders, National Association of Realtors, Foundation for Environmental and Economic Progress, American Farm Bureau Federation, and National Mining Association that provides an analysis of the Rapanos decision and the recommendation in the Group’s comments that EPA and the Army Corps conduct a rulemaking on how to apply the Court’s interpretation.”
  - Utility Solid Waste Activities Group (USWAG), January 8, 2008
- “It is imperative that the agencies heed both Justice Roberts and Breyer’s admonition in *Rapanos* that the agencies should engage in formal APA rule making. Reliance on information guidance can only lead to more confusing court decisions...A formal rule making process will enable all affected interests to participate and provide critical scientific and policy information.”
  - National Stone, Sand & Gravel Association, January 8, 2008
- “Above all, we urge the agencies to commit to addressing the underlying problems herein identified by initiating a rulemaking. Indeed, the Corps and EPA have both acknowledged that only through a rulemaking can real and meaningful direction be provided.”
  - CONSOL Energy Inc ., January 22, 2008
- “Guidance can only interpret the decision and by itself cannot resolve the uncertainty created by the highly divided Carabell/Rapanos decision. AFWA and ASWM believe strongly that new legislation and rulemaking will be required to achieve lasting solutions.”
  - Association of State Wetland Managers & Association of Fish and Wildlife Agencies, January 22, 2008
- “I think that is the intent of what we are attempting to do here is to help protect the water and to maintain those natural resource businesses that we have in places like Montana...I encourage you to support this legislation, but I want to make sure that you protect those of us who are upstream, providing your water and don’t put our livestock people out of business, our loggers out of business and those who use water for irrigation. Let us protect the waterways, let us protect the fisheries, and let us protect the seventh generation.”
  - Testimony from Brian Schweitzer, Governor, State of Montana, at House of Representatives Committee on Transportation and Infrastructure Hearing on Status

of the Nation's Waters, Including Wetlands, Under the Jurisdiction of the Federal Water Pollution Control Act, July 17, 2007

- “Governor Richardson has fought to restore protections to New Mexico’s waters...He also strongly supported the Clean Water Authority Restoration Act of 2003, a precursor of the legislation before you today. The citizens of New Mexico depend on the protection of a clean environment and sustainable water supply.”
  - Testimony from Ron Curry, Secretary at New Mexico Environment Department, at House of Representatives Committee on Transportation and Infrastructure Hearing on Status of the Nation’s Waters, Including Wetlands, Under the Jurisdiction of the Federal Water Pollution Control Act, July 17, 2007
  
- “As a result of the SWANCC and Rapanos decisions, the most fundamental question one asks about any regulatory statute – to what does it apply – is in a state of confusion today. This confusion threatens to undermine not only the particular program challenged in those cases, the Section 404 program to protect wetlands, but also other programs that rely on the same jurisdictional term, waters of the United States...In light of the enormous confusion created by the Court’s 4-1-4 split in Rapanos, Congress should amend the Act to clarify the scope of Federal jurisdiction.”
  - Testimony from Robert Percival, Robert. F Stanton Professor of Law and Director of Environmental Law Program, University of Maryland, at House of Representatives Committee on Transportation and Infrastructure Hearing on Status of the Nation’s Waters, Including Wetlands, Under the Jurisdiction of the Federal Water Pollution Control Act, July 17, 2007
  
- “Congress must take immediate action and enact legislative language to straighten out the mess that regulating wetlands and other waters in the United States has become in recent years...Yes, it is my belief that Congress must act, must amend the Clean Water Act now. I personally believe that the bill before this Committee could have gone farther. I think that is might have wanted to deal with the so-call Tulloch Rule interpretations of the term, discharge, maybe even mitigation, but I think it is an important step.”
  - Testimony from Kim Diana Connolly, Associate Professor of Law, Department of Clinical Legal Studies, University of South Carolina School of Law, at House of Representatives Committee on Transportation and Infrastructure Hearing on Status of the Nation’s Waters, Including Wetlands, Under the Jurisdiction of the Federal Water Pollution Control Act, July 17, 2007
  
- “If the status quo remains unchanged, I envision more lawsuits, more challenges, more confusion, and more permitting backlogs. That is not in the interest of the agricultural community, the property development of construction industries, or other regulated communities. And it is certainly not in the interest of the environment.”

- Opening statement from Rep. Vernon Ehlers, at House of Representatives Committee on Transportation and Infrastructure Hearing on Status of the Nation's Waters, Including Wetlands, Under the Jurisdiction of the Federal Water Pollution Control Act, July 17, 2007
- "The time has come to address these difficulties by developing a wetlands permitting program that is more realistic, more efficient, and more compatible with the competing interests of environmental protection, infrastructure and economic development, and property rights."
  - Statement from Rep. John Mica, at House of Representatives Committee on Transportation and Infrastructure Hearing on Status of the Nation's Waters, Including Wetlands, Under the Jurisdiction of the Federal Water Pollution Control Act, July 17, 2007