

**Great Lakes Groups Comments on US EPA proposed rulemaking and guidance on the  
scope of Clean Water Act protections**

April 23, 2025

**Re: Docket ID No. EPA-HQ-OW-2025-0093**

Benita Best-Wong  
Deputy Assistant Administrator for Management  
Office of Water  
U.S. Environmental Protection Agency

Robyn S. Colosimo  
Senior Official Performing the Duties of the  
Assistant Secretary of the Army (Civil Works)  
Department of the Army

Dear Ms. Best Wong and Ms. Colosimo:

Clean water is essential to life, to health and to our economy. The undersigned groups all care deeply about the Great Lakes and water quality and affordability throughout the Great Lakes region. Much of our work revolves around preserving the integrity of the Great Lakes. The Great Lakes are an international gem of incalculable ecological, cultural, and economic value. They are the largest freshwater ecosystem on earth, containing 20% of the world's freshwater supply and providing drinking water for over 40 million people. The Great Lakes support a wealth of biodiversity across their large geographic range, including diverse and rich populations of fish, wildlife, and plants. Their economic importance is also evident: commercial and recreational fishing in the Great Lakes injects billions of dollars into the economies of the surrounding states. Clean water is therefore essential to the Midwest.

The Clean Water Act is an important tool that helps to protect the Great Lakes as well as other water sources throughout the Midwest. A strong, effective Clean Water Act is essential to protecting America's lakes, streams, wetlands, and coastal waters. EPA has already removed critical waters from Clean Water Act protection under its most recent rule, which fully implemented the reduced Clean Water Act scope mandated by the *Sackett v. EPA* Supreme Court case. While it is unfortunate that the Supreme Court interpreted the Clean Water Act as no longer protecting many waters essential to safe clean water for drinking, recreation, and the ecological and economic health of the Great Lakes and our nation, EPA fulfilled its responsibility to abide by that Supreme Court case and [promulgated rules](#) to narrow the scope of Clean Water Act protections accordingly.

No further rulemaking is needed, and, in fact, another rule would run counter to EPA's stated goal of increasing clarity for the regulated public and delivering on Administrator Zeldin's commitment to safe clean water at his confirmation hearing. It would instead perpetuate the back and forth that has now been going on for decades in which businesses and landowners alike lack certainty as to which waters are protected. Rather than further limiting the scope of Clean

Water Act protections to exclude even more waters the protection of which is critical to public health, safety, and the economy, EPA should implement and enforce the existing law as laid out by the US Supreme Court and EPA's own recently-promulgated regulations.

We note that many of the waters that would likely be excluded by further regulatory action are the headwaters that flow directly or indirectly into the Great Lakes or wetlands, which trap and remove pollution and capture and store carbon that would otherwise exacerbate climate change. More than 90% of all wetlands have disappeared in some Midwest states. We cannot afford to give up the protection of the remaining wetlands in the Midwest, which are critical to keeping our drinking water clean and ample, to preventing unnecessary flood damage by retaining stormwater, and to providing critical wildlife habitat. Protection of wetlands and streams also filters out pollution, reducing treatment costs for utilities and keeping drinking water affordable for the American public.

Removing protections from these waters is also likely to exacerbate nutrient pollution and increase the intensity of the harmful algal blooms that are already too often making such iconic waters as Green Bay, Saginaw Bay, and Western Lake Erie unfit for swimming, fishing, and drinking. Their economic importance is also evident: commercial and recreational fishing in the Great Lakes injects billions of dollars into the economies of the surrounding states. Clean water is also essential to agriculture. Growing food requires access to clean, safe, reliable water resources. Clean water saves American households millions of dollars each year to be able to drink the water that flows from the tap and not have to rely on bottled water that can cost up to 3000 times more than tap water. Clean water is therefore essential to the Midwest.

President Trump has repeatedly said that he supports clean water. For example, on July 8, 2019, President Trump said the following:

From day one, my administration has made it a top priority to ensure that America has among the very cleanest air and cleanest water on the planet. We want the cleanest air. We want crystal-clean water, and that's what we're doing and that's what we're working on so hard.

President Trump has also vowed that EPA Administrator Zeldin would "maintain... the highest environmental standards, including the cleanest air and water on the planet." We should implement President Trump's stated desire for the Federal government to do more, not less, to protect clean water. The Clean Water Act has broad public support – 94% of Americans say that protecting the water in our nation's lakes, streams, and rivers is important. Clean water is crucial for healthy communities and a strong economy. Protecting our water should be our goal, not protecting polluter interests. Weakening water protections, especially when combined with planned massive resource and staffing cuts at EPA, increases threats to drinking water sources, flood-prone communities, and wildlife. Rather than revising existing rules, the EPA should focus its remaining staff on implementing and enforcing the remaining Clean Water Act protections for the benefit of all Americans. We urge the EPA to stay true to the President's commitment to clean water and to its mission of protecting human health and the environment.

Any further rollback of clean water protections could have enormous environmental consequences for the nation as well as for the Midwest and Great Lakes specifically.

Midwesterners understand the potential impacts of these rollbacks keenly as the Midwest has played a key role in the history of water quality protections. Before the Clean Water Act, when we relied upon state level water protections, the rivers and streams of the region were heavily polluted by dangerous chemicals. On several occasions, the Cuyahoga River in Ohio was lit ablaze and one such incident in 1969 encouraged Congress to establish the Environmental Protection Agency and shortly thereafter, pass the Clean Water Act. Of course, the Clean Water Act is not perfect and there is more work to be done to preserve the waters of the United States to the extent that Americans deserve and that public health demands. Removing critical tributaries from the definition of “waters of the United States” would degrade the water quality of the Great Lakes and other bodies of water that are critical to the economy and ecology of the Midwest. That is precisely why no further rollback of America’s clean water protections should be contemplated.

Thank you for this opportunity to present our views to the US EPA and the US Army Corps of Engineers.

Sincerely,

Abiinooji Aki, Inc  
Alliance for the Great Lakes  
Conservation Resource Alliance  
Environmental Law & Policy Center  
For Love of Water (FLOW)  
Friends of the Rouge  
Holy Spirit Missionary Sisters, USA-JPIC  
Illinois Environmental Council  
Just Transition Northwest Indiana  
Lake Erie Waterkeeper  
Michigan Climate Action Network  
Michigan Microplastics Coalition  
Milwaukee Riverkeeper  
Minnesota Environmental Partnership  
Ohio Environmental Council  
Save Our Water (SOH2O)  
Save the Dunes  
Talking Rivers  
The Watershed Center Grand Traverse Bay  
Tip of the Mitt Watershed Council  
Western New York Trout Unlimited  
Western Reserve Chapter, Izaak Walton League of America