



JAN - 7 2019

Dear Governor:

The Environmental Protection Agency and the Department of the Army (hereinafter “the agencies”) are writing to invite you and your staff to engage with the agencies regarding the proposed rule for the revised definition of “waters of the United States,” signed on December 11, 2018.

The agencies have proposed a clear, understandable, and implementable definition of “waters of the United States” that clarifies federal authority under the Clean Water Act. The proposed rule would replace the agencies’ 2015 definition of “waters of the United States” with a straightforward definition that would result in significant cost savings, protect the nation’s waterways, help sustain economic growth, and reduce barriers to business development. The agencies’ proposal is the second step in a two-step process to review and revise the definition of “waters of the United States” consistent with the Presidential Executive Order 13778, “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule” (Feb. 28, 2017).

A pre-publication version of the Federal Register notice and fact sheets are available at: <https://www.epa.gov/wotus-rule>. Once published there will be a 60-day public comment period.

As part of our ongoing outreach to state officials for this proposed rule, the agencies are hosting discussion sessions with state officials during the public review process. The focus of the discussion sessions will be to hear your state’s input on the proposed new definition and discuss implementation considerations. Your input during this process is important to us.

The agencies will be hosting a half-day discussion forum at the following locations: Kansas City, Kansas, on February 26, 2019; Atlanta, Georgia, on March 11, 2019; and Albuquerque, New Mexico, on March 26, 2019. State officials who would like to attend any of these meetings should send an email to wotus-outreach@epa.gov and the agencies will respond with meeting details and registration information. The state meetings will coincide with similar meetings with tribal representatives. In addition, the agencies have scheduled a public informational webcast on February 14, 2019, and a public hearing on the proposed rule in Kansas City, Kansas (coinciding with the tribal and state discussion forums) with sessions on February 27 and 28, 2019. State representatives are welcome and encouraged to attend these public events.

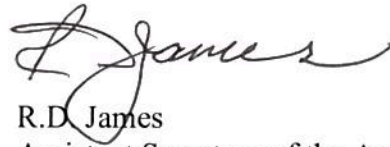
In addition to these half-day discussions with state officials, the EPA and Army plan to seek additional opportunities to engage with you directly, as well as your state agencies.

Please do not hesitate to contact the agencies if you have any questions or would like to discuss this proposal directly. If you or your staff have further questions, please contact Troy Lyons at 202-564-5200 or lyons.troy@epa.gov or Cindy Barger at (202) 761-0038 or cindy.s.barger.civ@mail.mil. We look forward to your input and engagement on this important rulemaking.

Sincerely,



Andrew R. Wheeler
Acting Administrator



R.D. James
Assistant Secretary of the Army
(Civil Works)