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November 26, 2025

Ms. Stacey Jensen
Office of Water
Oceans, Wetlands, and Communities Division
Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Mr. Milton Boyd
Office of the Assistant Secretary of the Army for Civil Works
Department of the Army
108 Army Pentagon
Washington, DC 20310-0104

Re: Comment Period Extension Request related to Docket ID No. EPA-
HQ-OW-2025-0322; Updated Definition of "Waters of the United
States"

Dear Ms. Jensen and Mr. Boyd,

On behalf of the members of the Association of Clean Water Administrators (ACWA), we appreciate the opportunity to provide input on the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers' proposed rule revising the definition of "Waters of the United States" (WOTUS) under the federal Clean Water Act (CWA).

ACWA is the independent, nonpartisan, national organization of state, interstate, and territorial water program managers who serve alongside the agencies as co-regulators of the CWA. States have a unique and important interest in any national regulatory updates or policy positions that define terms under the CWA, including WOTUS. That key phrase – which has been the subject of extensive litigation and recent federal rulemakings - establishes the scope of federal jurisdiction under the CWA, potentially impacting various water quality management programs, including those administered by states. This definition is foundational to the CWA's implementation and directly affects permitting, compliance, and infrastructure planning for state surface water programs nationwide.

The agencies note in the preamble that this proposed rule is intended to provide clarity and predictability in jurisdictional determinations

while aligning with Supreme Court precedent. Given the complexity and significance of these changes, CWA co-regulators and stakeholders need adequate time to review the proposal and assess its operational and legal implications, as well as provide input on the forty (40) specific requests for comment included in the proposed rule.

Currently, the comment period spans through January 5, 2026, which includes three federal holidays: Thanksgiving Day (November 27), Christmas Day (December 25), and New Year's Day (January 1.) These holidays significantly reduce the number of working days available for technical review and coordination by our state members. Many state employees take additional time off beyond the federal holidays themselves, making it even more challenging for our organization to gather thoughtful input from our members or provide comprehensive, data-driven feedback within the allotted timeframe. We respectfully request that EPA and the Corps extend the comment period by an additional fifteen (15) days. This extension will allow state implementors to provide thoughtful, well-supported comments that will help the agencies achieve their stated goal of a clear, durable, and implementable WOTUS definition.

We appreciate your consideration of this request and look forward to continued engagement on this critical rulemaking.

Sincerely,

A handwritten signature in black ink that reads "Julia Anastasio". The signature is written in a cursive, flowing style.

Julia Anastasio
Executive Director and General Counsel
Association of Clean Water Administrators