

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

R. BRUCE JOSTEN
EXECUTIVE VICE PRESIDENT
GOVERNMENT AFFAIRS

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April 30, 2015

The Honorable John Barrasso
United States Senate
Washington, DC 20510

The Honorable Joe Donnelly
United States Senate
Washington, DC 20510

Dear Senators Barrasso and Donnelly:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, supports the "Federal Water Quality Protection Act" and the Committee's efforts to address the Environmental Protection Agency's and U.S. Army Corps of Engineers' significant jurisdictional overreach as these agencies prepare to finalize their proposed definition of "waters of the United States."

If finalized, the proposed rule will greatly expand federal jurisdiction over water and land, which will affect a wide variety of permitting requirements and Clean Water Act programs. The agencies have not adequately addressed the significant and negative impact its proposed definition would have on numerous land uses, or the fact that it would undermine and complicate state and local regulatory programs. The proposed rule is likely to have a negative impact on a large portion of the U.S. economy, as it slows, or brings to a complete halt, numerous projects major and minor.

Equally important, the agencies proposed the rule without conducting sufficient regulatory impact analyses or adequately consulting with state and local governments or interested stakeholders.

For these reasons, it is critical that Congress direct the agencies to limit federal jurisdiction over water and land, consistent with prior Supreme Court decisions and the long-understood concepts of cooperative federalism embodied in the Clean Water Act. It is also essential that the agencies be required to consider and comply with all regulatory impact analysis requirements, and conduct meaningful consultation with stakeholders. The Federal Water Quality Protection Act would effectively and appropriately limit federal jurisdiction, and require the agencies to conduct a full and procedurally proper rulemaking process.

The Chamber supports the Federal Water Quality Protection Act and appreciates your leadership on this very important issue and the leadership of original cosponsors, Senators Inhofe, Heitkamp, Roberts, Manchin, Sullivan, Rounds, Blunt, McConnell, Capito, and Fischer.

Sincerely,



R. Bruce Josten

cc: Members of the United States Senate