

From: [Chess](#)
To: [commentletters](#)
Subject: Statewide Dredged or Fill Procedures
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I am writing to support the proposal to repeal the 2015 Waters of the United States ("WOTUS") rule.

Some government lands adjacent to private properties are known to be poorly managed or almost neglected. Overgrowth, dead/diseased trees, and debris which was not present before is then incorrectly labeled as "habitat." As a result of this neglect, private property adjacent to these lands are experiencing extended periods of flooding and are no longer usable. Clean-up efforts are few and far between, and in some instances instead of clean-up, the easy route of just renaming the lands as "wetlands" has resulted in an even greater taking. There is then a taboo of even removing part of a tree for fear of it damaging this artificial habitat. Unrealistic environmental desires based on neglected habitat sadly are a higher priority than a historical, sound agricultural use of private property. All environments at some point need management and cleanup in order to thrive.

Land is vital to my livelihood. Water is also very important to my family. Yet the 2015 WOTUS rule is overly broad and creates heavy burdens and costs, legal risk and tremendous uncertainty for farmers, ranchers and others, like me, who depend on the land. Under the 2015 rule, farmers, ranchers, and other landowners across the country face new roadblocks to ordinary land-use activities.

The agencies should repeal the 2015 Waters of the United States ("WOTUS") rule that was stayed by federal courts due to its legal flaws and violations. Challengers raised numerous substantive and procedural defects in the rule, including that the rule exceeds EPA's statutory authority, imposes burdensome regulatory uncertainty, was finalized in violation of mandatory procedural requirements designed to ensure a well-informed result, and is otherwise unlawful.

In all, the rule was challenged in multiple courts by all sides (31 states and 53 non-state parties, including environmental groups, state and local governments, farmers, landowners, developers, businesses, and recreation groups).

The agencies should move forward, withdraw the rule, and then go back to the drawing board and write a new rule that protects water quality without compromising the rights of farmers and ranchers, landowners, businesses, and the states.