



**The Western Coalition of Arid States**  
**WESTCAS**

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May 9, 2014

Water Docket  
Environmental Protection Agency, Docket Center  
EPA West, Room 3334  
1301 Constitution Avenue, NW  
Washington DC 20460

**Attention: Docket ID NO. EPA-HQ-0W-2011-0880**

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**RE: Request for Extension of the 90-Day comment Period on the Proposed Rule to Clarify the Definition of "Waters of the United States" under the Clean Water Act**

Dear Docket Administrator:

The Western Coalition of Arid States [WESTCAS] has conducted an initial review of your proposed rule which was published on April 21, 2014 in the Federal Register. This rule was jointly issued by the Environmental Protection agency and the United States Army Corps of Engineer and defines the scope of waters subject to the jurisdiction of the Clean Water Act. The Federal Register Notice of April 21, 2014 includes a lengthy preamble and a proposed rule which in turn expands the reach of the Clean Water Act in ways that will have a profound impact on the Arid West. We are also concerned that the scientific review of the proposed rule which is titled "Connectivity of Streams and Wetlands to Downstream Waters; A Review and Synthesis of the Scientific Evidence," has not been fully completed nor reviewed by EPA or by outside stakeholder scientists. WESTCAS requests an extension of the comment period to enable our members to review and fully evaluate the proposed Rule and also the science that is underpinning this rule.

WESTCAS is an association which numbers more than 100 water agencies, consulting engineering firms, and law firms located in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Oregon, and Texas. Our mission is to encouraging the wise use and development of water resources in our member states where there is little rain in many months and frequently less than 12 inches for the entire year. Considering this reality, our particular focus is working to ensure that Federal water policy and regulations are appropriate and reflect the reality of water resources in the Arid West

***The Voice of Water Quality in the Arid West***

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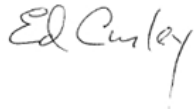
**The Western Coalition of Arid States**  
**W E S T C A S**

Our membership includes large urban water and wastewater agencies that often serve entire regions of their State and do so under the stringent conditions imposed by addressing the needs of growing populations in the midst of long-term drought. We believe that the proposed rule must give local water providers clarity and certainty with regard to whether a water body is subject to the Clean Water Act. We are also concerned that the regulatory burden borne by our member agencies, particularly as it relates to permitting, be as transparent and straightforward as possible. WESTCAS has provided comments all during the process dating back to legislative attempts to achieve a CWA Rule in 2009-2010 to the current day stretching to late 2013 when we submitted comments on the Draft Connectivity Rule and also expressed our opposition to the concept of releasing the draft rule before scientific review has been completed on the Connectivity Report. We believe that the process to date would lead to an expansion of the jurisdiction of the Clean Water Act that is not backed by sound science.

In conclusion, WESTCAS requests that EPA expand the public comment period for the proposed rule for a minimum of 120 days after the completion of the Connectivity Report. We believe our request is consistent with the recommendation of EPA's own Science Advisory Board.

Thank you for your consideration of our request. Our membership, which includes water agency professional, consulting engineers, and attorneys with expertise in western water issues, will be happy to meet with at any time during the process in order to provide additional details with regard to your position.

Sincerely,



Ed Curley  
President  
Western Coalition of Arid States

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