



June 12, 2017

Andrew Hanson
Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20004

RE: Definition of Waters of the United States under the Clean Water Act

Dear Mr. Hanson:

Charlotte County, Florida appreciates this opportunity to provide comments and additional information regarding the Environmental Protection Agency's (EPA) review of the definition of Waters of the United States (WOTUS) under the Clean Water Act. The County is very pleased to learn that the EPA seeks to revisit the definitions in the current WOTUS rule and reexamine the approach taken to draft the rule.

Charlotte County is home to the Charlotte Harbor Estuary, the second largest in Florida which flows into the Gulf of Mexico. Water quality is vital to our community and Charlotte Harbor is our community's economic engine. We are supportive of and have undertaken many activities to improve water quality while being responsible stewards of public tax dollars and ensuring a return on investment. For example, locally, Charlotte County has adopted fertilizer and illicit discharge ordinances, we provide our residents with educational and outreach programs on water quality and stormwater impact and do multiple types of clean-up events throughout the County each year. Charlotte County has also implemented a septic removal capital program to reduce non-point source pollution and has undertaken our own monitoring procedures to evaluate water quality improvement projects as they are implemented.

We would like to highlight a few examples in the currently adopted rule that are overly burdensome and not practical. Routine maintenance of our drainage ditches and canals are subject to Section 404 dredge and fill permits and Clean Water Act water quality standards. Charlotte County has over 192 miles of Primary drainage ditches and 365 miles of canals. Obtaining a Section 404 permit for each maintenance activity is inefficient and not financially feasible. The Section 404 permit process is often slow and maintenance that is needed for flood control purposes often cannot wait. Our citizens depend on timely and efficient maintenance to help mitigate the risk of flooding. We strongly encourage EPA not to

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subject these routine maintenance activities to a permitting requirement. Streets, gutters and human-made ditches and swales should not be included in the definition of WOTUS.

The County greatly appreciates EPA's engagement of state and local governments and Clean Water Act stakeholders. We are hopeful this engagement will ensure greater clarity and the most feasible application. As the EPA moves forward with rewriting the WOTUS rule, we strongly encourage you to continue to engage with local stakeholders in crafting a more reasonable rule.

We appreciate your thoughtful consideration of these comments and look forward to continuing to work with the EPA to be a good steward of our natural resources.

Sincerely,


William G. Truex, Chairman
Charlotte County Board of County Commissioners

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