

Small Entity Outreach – WOTUS 2 Rulemaking: A Revised Definition of WOTUS

Summary: The U.S. Environmental Protection Agency and the Department of the Army (herein after “the agencies”) are interested in hearing from small entities on their proposal to revise the definition of “waters of the United States.” Small entities, among others, have expressed significant interest in the agencies’ proposed revisions. The agencies will hold an **in-person** meeting on Tuesday, March 19, 2019, from 9:00 to 11:00 am Eastern Time.

Invitation:

The U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) (herein after “the agencies”), are interested in hearing from small entities on the proposed rule to revise the definition of “waters of the United States.”

The agencies’ proposal would provide the public with a straightforward definition to protect the nation’s waterways, help sustain economic growth and reduce barriers to business development. The agencies’ proposal is the second step in a two-step process to review and revise the definition of “waters of the United States” consistent with the February 2017 Presidential Executive Order 13778. The proposed rule is grounded in law and Supreme Court precedent and respects the limitations on power granted to the federal government by the Constitution and to the agencies to regulate navigable waters by Congress through the Clean Water Act.

The agencies reviewed and considered the extensive feedback and recommendations received from stakeholders throughout consultations and pre-proposal meetings and webinars. This input helped highlight the issues that are most important to stakeholders, including small entities, directly affected by the scope of Clean Water Act jurisdiction.

The **in-person** listening session with small entities will be held on **Tuesday, March 19, 2019, from 9:00 to 11:00 am Eastern Time** at the U.S. EPA’s Headquarters located at 1200 Pennsylvania Avenue NW, Washington, DC 20003. To facilitate the building security process, and to request reasonable accommodation, those who wish to attend must contact Joan B. Rogers (202-564-6568 or rogers.joanb@epa.gov), no later than Monday, March 11, 2019. RSVPs will be accepted until March 11, or until room capacity has been reached (100 max), whichever occurs first.

If you would like to provide a three minute “oral presentation” at the in-person listening session, please let Joan B. Rogers know by the registration date listed above so she can schedule your slot.

The agencies will prepare a written summary of the presentations and this will be included as part of the rulemaking docket. You are also invited to submit a copy of your oral presentation, identified by Docket ID No. EPA-HQ-OW-2018-0149, at <https://www.regulations.gov>.

Thank you in advance for your interest in the waters of the United States rulemaking. We look forward to your participation in this important effort.