

Water Act, the entire body of case law interpreting the Act, and sound science.² The agencies must reject calls to further narrow the scope of Clean Water Act jurisdiction in order to achieve bureaucratic policy goals like reducing “red-tape” that are contrary to the objective and text of the Act, including through the adoption of unfounded reinterpretations of settled law or the creation of definitional limitations and implementation measures that will exclude waters from protection.

I. Interests of the Commenting Organizations

Waterkeeper Alliance is a not-for-profit environmental organization and global movement dedicated to protecting and restoring water quality to ensure that the world’s waters are drinkable, fishable, and swimmable. We are composed of more than 300 community-based Waterkeeper groups that patrol and protect nearly six million miles of rivers, lakes, and coastlines in the Americas, Europe, Australia, Asia, and Africa. In the United States, Waterkeeper Alliance represents the interests of more than 150 U.S. Waterkeeper groups, as well as the interests of our more than one million collective members and supporters that live, work, and recreate in or near waterways across the country—many of which are severely impaired by pollution. In the past three years alone, Waterkeeper Alliance, Waterkeeper groups, and our respective supporters in the U.S. have submitted more than 50,000 public comments on EPA actions, and Waterkeeper Alliance and Waterkeeper groups regularly attend public meetings and hearings with EPA, demonstrating our collective knowledge about EPA processes and our strong interest in engaging on issues that impact our communities, water, and the environment.

The Environmental Integrity Project is a nonprofit organization dedicated to protecting public health and our natural resources by holding polluters and government agencies accountable under the law, advocating for tough but fair environmental standards, and empowering communities fighting for clean air and clean water.

The Clean Water Act is the bedrock of our work to protect rivers, streams, lakes, wetlands, and coastal waters for the benefit of all of our members and supporters, as well as to protect people and communities that depend on clean water for drinking, subsistence fishing, recreation, their livelihoods, and their survival. Our work—in which we have answered Congress’ call for “private attorneys general” to enforce and defend the Clean Water Act when regulators lack the willingness or resources to do so themselves—requires us to develop and maintain scientific, technical, and legal expertise on a broad range of water quality and quantity issues.

II. The Clean Water Act Requires Broad Protections for the Nation’s Waters

As the Supreme Court has repeatedly recognized, Congress passed the Clean Water Act with a singular objective—to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters”³—and it intended to achieve that objective, primarily, by regulating pollution at

² See, e.g., *County of Maui v. Haw. Wildlife Fund*, 590 U.S. 165, 185-86 (2020).

³ PUD No. 1 of *Jefferson County v. Wash. Dep’t of Ecology*, 511 U.S. 700, 704 (1994) (quoting 33 U.S.C. § 1251(a)).