



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR

MARTIN J. WALSH

August 25, 2014

The Honorable Gina McCarthy, Administrator
US Environmental Protection Agency

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army
Department of the Army, Civil Works

Re: Docket ID # EPA-HQ-OW-20011-0880

Dear Administrator McCarthy and Assistant Secretary Darcy,

As Mayor of Boston, I support the US Environmental Protection Agency and US Army Corps of Engineers' proposed *Definition of "Waters of the United States Under the Clean Water Act"* to clarify which streams, wetlands and other waters are covered by Clean Water Act protections. Wetlands and small streams, including those that flow only seasonally, have a direct impact on the health and quality of larger streams and rivers downstream. These resources are critical drinking water sources, and they protect communities from flooding and filter pollutants.

For its first thirty years, the Clean Water Act safeguarded nearly all of our nation's waters. These protections are necessary to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters," as intended by Congress when it passed the Clean Water Act in 1972. Despite the law's dramatic progress at combating water pollution nationally, federal policy changes in the last decade have left many small streams and "isolated" wetlands vulnerable to pollution or destruction. These federal policy changes have called into question Clean Water Act protections for nearly 60% of our nation's streams miles and at least 20 percent of the 110 million acres of wetlands in the continental United States.

This confusion has put the drinking water for 117 million Americans at risk, including over almost 7 million people in Massachusetts. Millions of small streams and wetlands provide most of the flow to our most treasured water bodies, including the Charles and Merrimack Rivers and the Quabbin Reservoir. These rivers provide a place of recreation for people and a home for wildlife as well as providing the state with economic benefits such as pollution filtration and flood control. The Quabbin Reservoir alone provides drinking water for over 2.5 million people in over 46 communities in Massachusetts.

If we do not protect these networks of small streams, we cannot protect and restore the lakes, rivers bays, and reservoirs upon which our economy and way of life depend. Clean water is an

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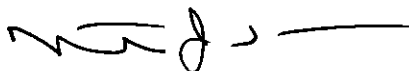
economic driver. It is essential for businesses, and also raises property values and boosts local economies. Protecting small streams and wetlands is vital for fish and wildlife and Massachusetts' vibrant recreational industry. The U.S. Fish and Wildlife Service reports that Massachusetts residents and nonresidents spent \$2 billion on wildlife recreation, including \$455 million on fishing, in 2011. More than 2.2 million Massachusetts residents participated in wildlife recreation like angling and water-based recreation activities in 2011. Across the United States, recreational fishing generates about \$125 billion annually and supports 1.5 million jobs.

According to a national poll conducted this year by the American Sustainable Business Council, "80% of small business owners favor federal rules for clean water to protect upstream headwaters as proposed in the Environmental Protection Agency's new Waters of the U.S. rule." The rule protects citizens and their water sources as well as businesses, small and large that depend on clean water to run profitably.

As Mayor of Boston, I believe broad federal protections are critical to protecting our local waters. Water flows downhill, and each of the lower 48 states have water bodies that are downstream of one or more other states. Maintaining consistency among water pollution programs throughout these states is essential. Since the passage of the Clean Water Act, states have come to rely on the Act's core provisions and have structured our own water pollution programs accordingly. I support the draft rule's proposal to restore Clean Water Act protection to all tributaries of navigable waterways. Failure to do so would jeopardize water quality in our larger riversheds and estuaries. It would also put at risk the millions of dollars and thousands of jobs generated by water related tourism activities and other businesses that are dependent on clean water supplies.

This commonsense proposal is based on the best scientific understanding of how streams and wetlands affect downstream water quality. The public benefits of the rule – in the form of flood protection, filtering pollution, providing wildlife habitat, supporting outdoor recreation and recharging groundwater – far outweigh the costs. When finalized, this rule will provide the regulatory assurance that has been absent for over a decade and better protection for critical water resources on which our communities depend. We strongly support finalization of *Definition of "Waters of the United States Under the Clean Water Act."*

Sincerely,

A handwritten signature in black ink, appearing to read 'M. J. Walsh', followed by a horizontal line extending to the right.

Martin J. Walsh
Mayor of Boston