

December 22, 2025

Environmental Protection Agency (EPA)  
1200 Pennsylvania Avenue, N.W., Washington, DC 20460

U.S. Army Corps of Engineers (Corps)  
441 G St., NW, Washington, DC 20314-1000

Dear Administrator Zeldin and Lieutenant General Graham,

We, the undersigned state legislators, urge the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers to reconsider the [proposed update](#) to the definition of the “Waters of the United States” rule, and retain current protections for our waterways and wetlands as opposed to eliminating them.

In summary, this proposed rule:

- **Could result in a monumental loss of critical natural infrastructure**, thereby compromising important safeguards for natural disasters and adding billions of dollars in preventable costs.
- **Could create uncertainty and an unnecessary burden on states** to navigate a new legal landscape without adequate resources.
- **Could threaten clean drinking water** for millions of Americans.
- **Directly opposes the nearly ubiquitous public opinion** that protecting our streams, rivers, and lakes is important.

### **The Benefits of Protected Waterways**

Often referred to as “[nature’s kidneys](#),” our nation’s waterways and wetlands provide myriad benefits, including: natural protection against flooding, clean water filtration for our communities, and immense hunting and fishing outdoor opportunities — services that bring billions of dollars in both savings and revenue. Research highlighted by [NOAA](#) showed that coastal wetlands save communities [\\$23 billion each year](#) in storm protections, and [in 2018 alone](#), anglers generated more than \$72 billion in sales impacts and supported 470,000 U.S. jobs.

### **The Impacts of the Proposed WOTUS Definition Update**

[Early estimates](#) suggest the “Updated Definition of ‘Waters of the United States’” Rule could result in the loss of over 80% of wetlands nationwide, stripping away natural protective infrastructure, as well as reducing hunting and fishing outdoor recreation activities, especially for migrating waterfowl and certain fish species.

The proposed Rule places a greater burden on states to protect wetlands and waterways with fewer resources, expertise, or legal authority. An even greater burden would sit on state administrators to sift through permit applications using unclear definitions to determine which waters are protected and which are not.

In [Alaska](#), for example, few wetlands both touch another protected waterway and have surface water throughout the wet season. In Louisiana, researchers [estimate](#) the state is at risk of losing close to 3,000 square miles — more than twice the size of Rhode Island — over the next 50 years, without dedicated actions to protect coastal wetlands.

Robust clean water protections are also critical to prevent loss of clean and safe water; the proposed rule would roll back these protections, thereby threatening the health and safety of our constituents. After recent federal rollbacks, the current “Waters of the United States” Rule is already limiting clean water access. Protections are incredibly popular across the country; across the nation, [94% of Americans say](#) that protecting our streams, rivers, and lakes is important.

As state legislators, we encourage the EPA and Army Corps to listen to Americans who are demanding strong water protections. The proposed rule falls short of meeting the needs and protections of communities, ecosystems, and waterways across the United States. We strongly urge the EPA and U.S. Army Corps not to pursue the proposed rule to update the WOTUS definition and to retain current protections for our waterways.

Sincerely,

Illinois Representative Sonya Harper  
(IL-006)

Arizona Senator Brian Fernandez  
(AZ-23)

Colorado Representative Elizabeth Velasco  
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Colorado Representative Karen McCormick  
(CO-11)

Colorado Representative Lorena Garcia  
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Colorado Senator Chris Kolker  
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Colorado Representative Junie Joseph  
(CO-10)

Colorado Representative Lesley Smith  
(CO-49)

Colorado Senator Cathy Kipp  
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Colorado Senator Judy Amabile  
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Colorado Senator Katie Wallace  
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Connecticut Senator Bob Duff  
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