



April 15, 2019

U.S Environmental Protection Agency  
EPA Docket Center, Office of Water Docket  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

*Submitted via Federal eRulemaking Portal Only*

**Re: American Sheep Industry Comments on the Environmental Protection Agency and U.S. Army Corps of Engineers' Proposed Rule, Revised Definition "Waters of the United States" Docket Id. EPA-HQ-OW-2018-0149**

The American Sheep Industry Association (ASI) appreciates the opportunity to comment on the Environmental Protection Agency's and U.S. Army Corps of Engineers' proposed rule to revise the definition of "Waters of the United States", as applied under the Clean Water Act. Since 1865, ASI has been the national trade organization representing the interests of nearly 90,000 sheep ranchers located throughout the country who produce America's lamb and wool. ASI is a federation of forty-five state sheep associations representing a diverse industry. ASI appreciates the work done by EPA and Army Corps following President Trump's Executive Order 13778. American agriculture has long called for an easy to understand "Waters of the United States" definition that allows for straightforward implementation, and the agencies have taken significant steps toward achieving this goal.

ASI generally supports the Revised Definition and offers specific recommendations for improvement as contained in the broader coalition comments of the National Cattlemen's Beef Association, et al. ASI echoes the sentiments of this array of agricultural stakeholders in seeking additional regulatory clarity. We commend the agencies for conforming closer to the Congressional intent of the Clean Water Act, and subsequent Supreme Court decisions, by excluding ephemeral features from jurisdiction and limiting federal regulation to wetlands, which abut a jurisdictional waterway or have a direct hydrological surface connection. As the agencies move forward, ASI urges greater clarity for regulated stakeholders. By making two essential modifications to the Revised Definition, the agencies can significantly increase the final rule's on-the-ground effectiveness. ASI also asks that the agencies eliminate the "certain ditches" category of jurisdictional waters from the final rule and refine the "intermittent" definition. We fully believe that addressing these issues will provide for the long-term success of this Revised Rule.

ASI again appreciates the opportunity to provide comments on behalf of America's sheep producers and we support the agencies' effort to clarify the WOTUS definition with the inclusion of the specific recommendations in the referenced coalition comments.

Sincerely,

The American Sheep Industry Association