

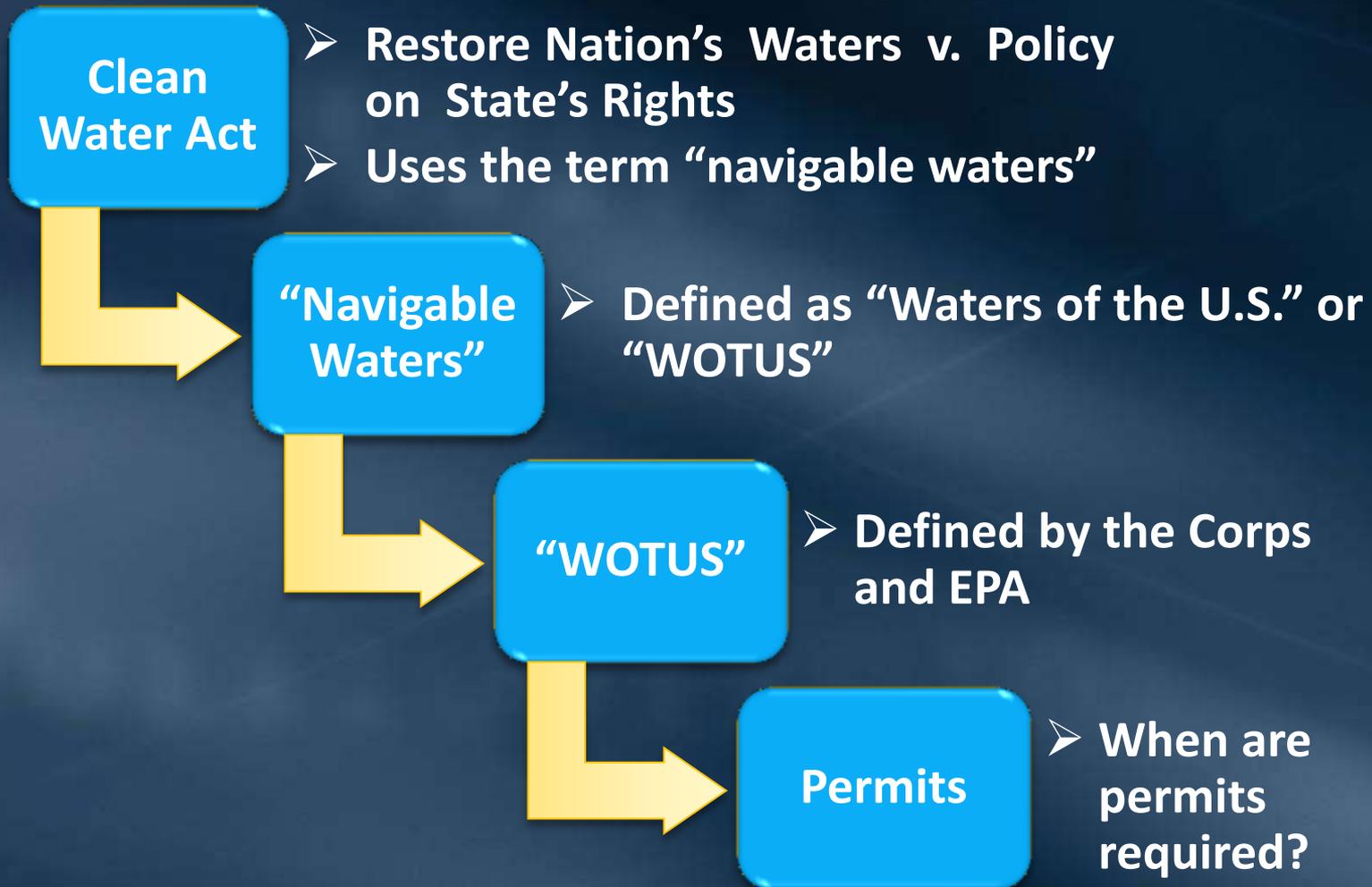


Update on Proposed New Definition of “Waters of the United States”

Communications and Legislation Committee
Item 6a

March 11, 2019

Clean Water Act and WOTUS



Construction



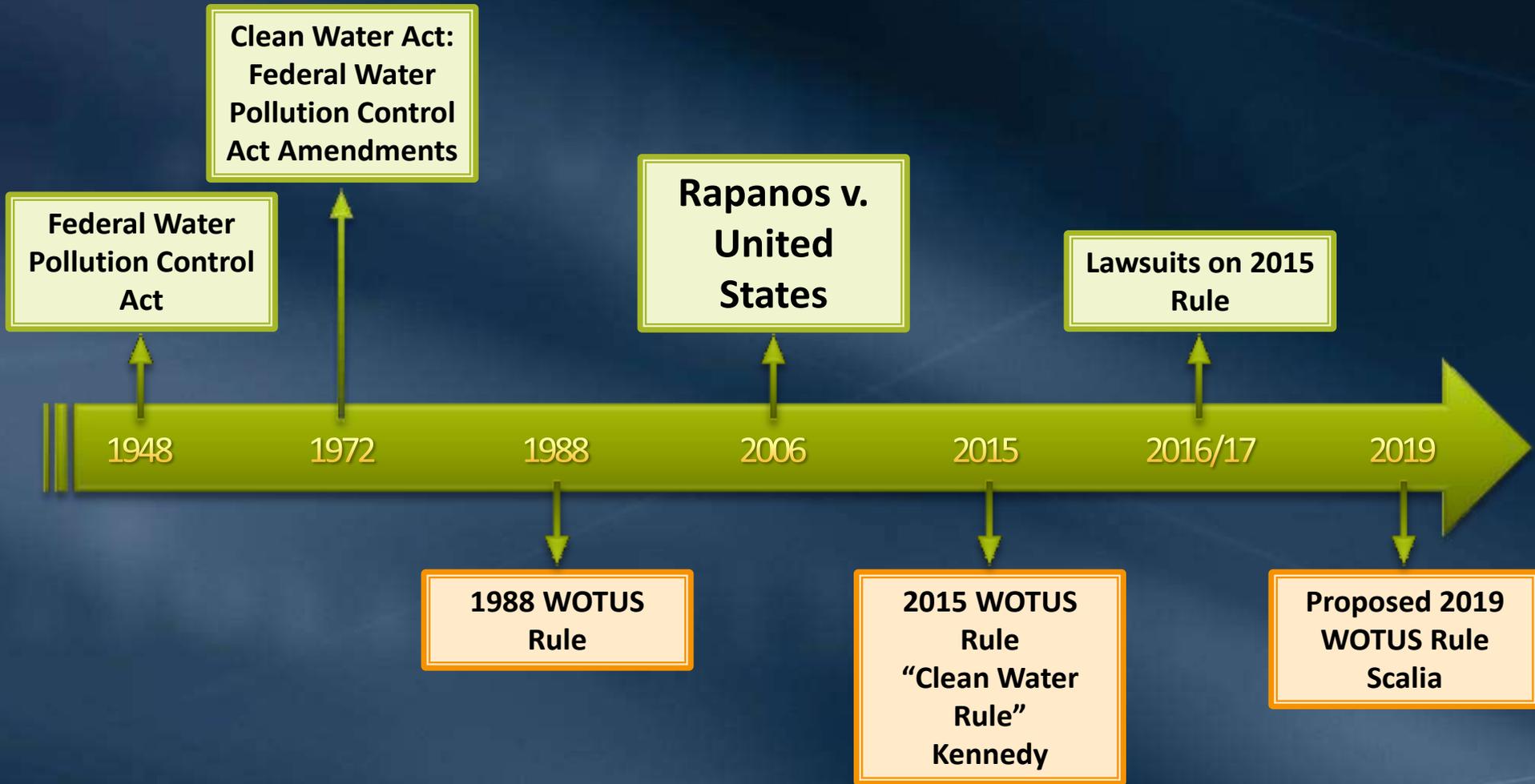
Dewatering



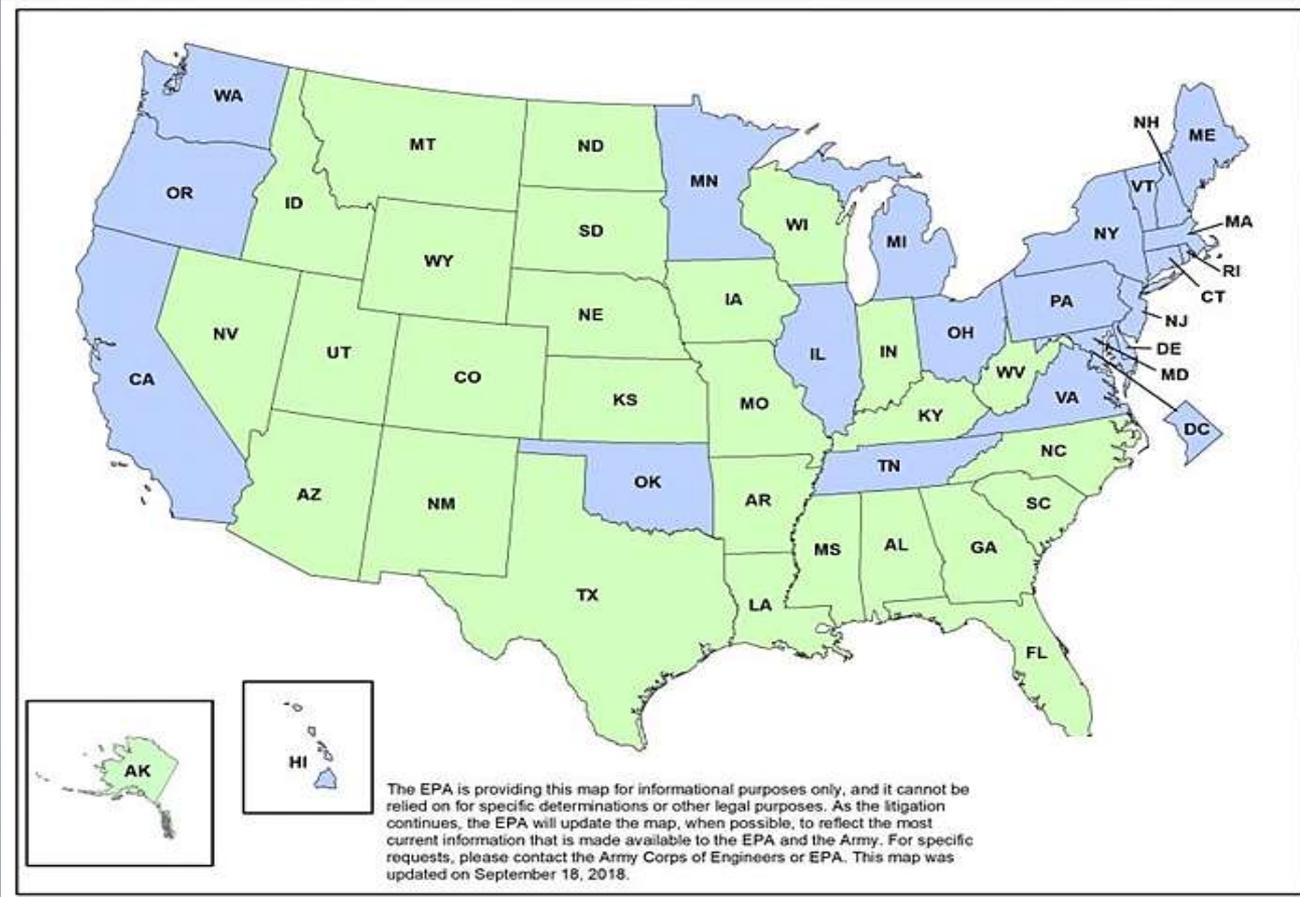
**Foothill Feeder
Shutdown
February 4, 2019**



History of WOTUS



Current Rules

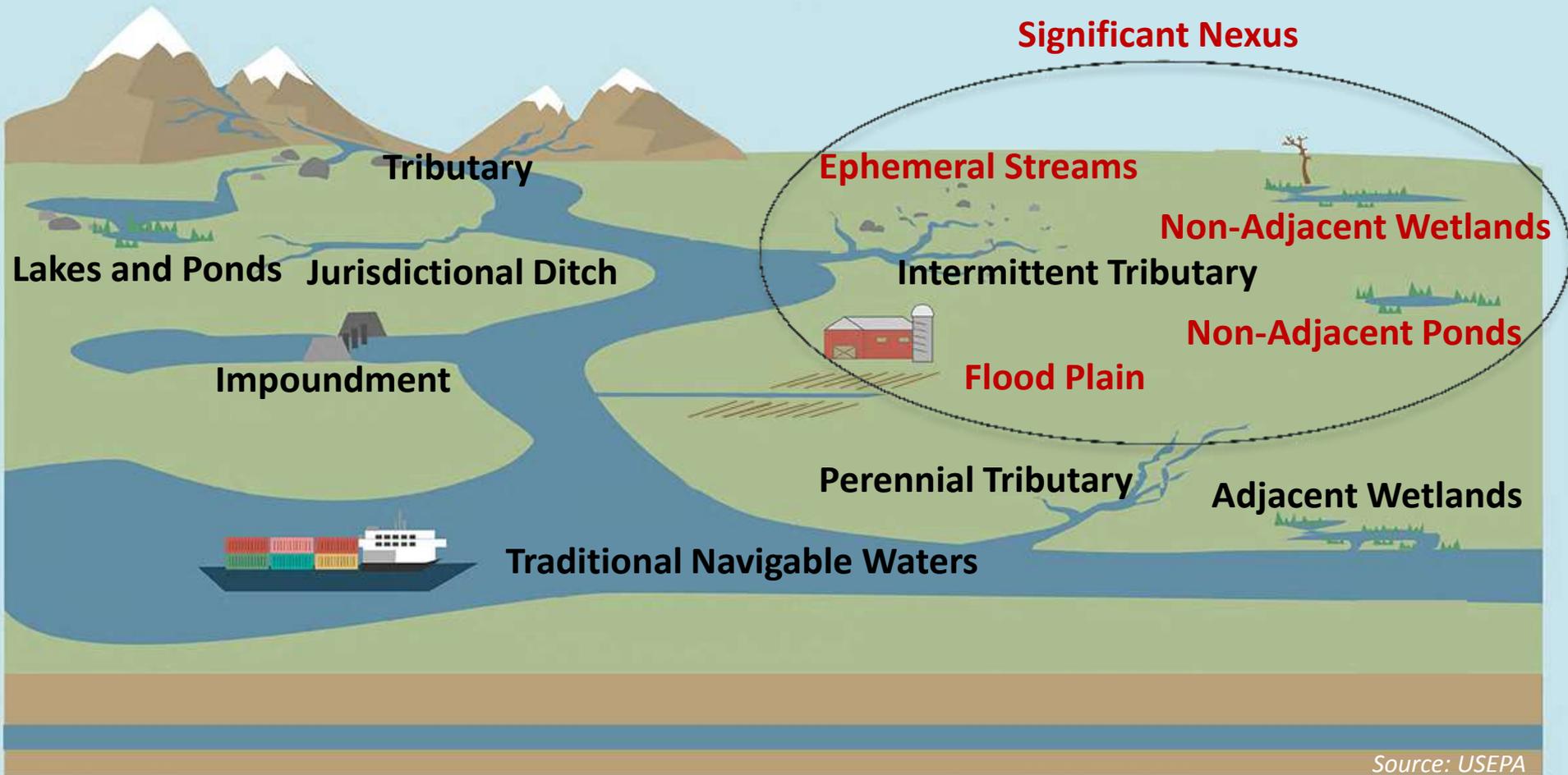


-  **2015 WOTUS Rule**
-  **1986/88 WOTUS Rule (Pre-2015 Rule)**

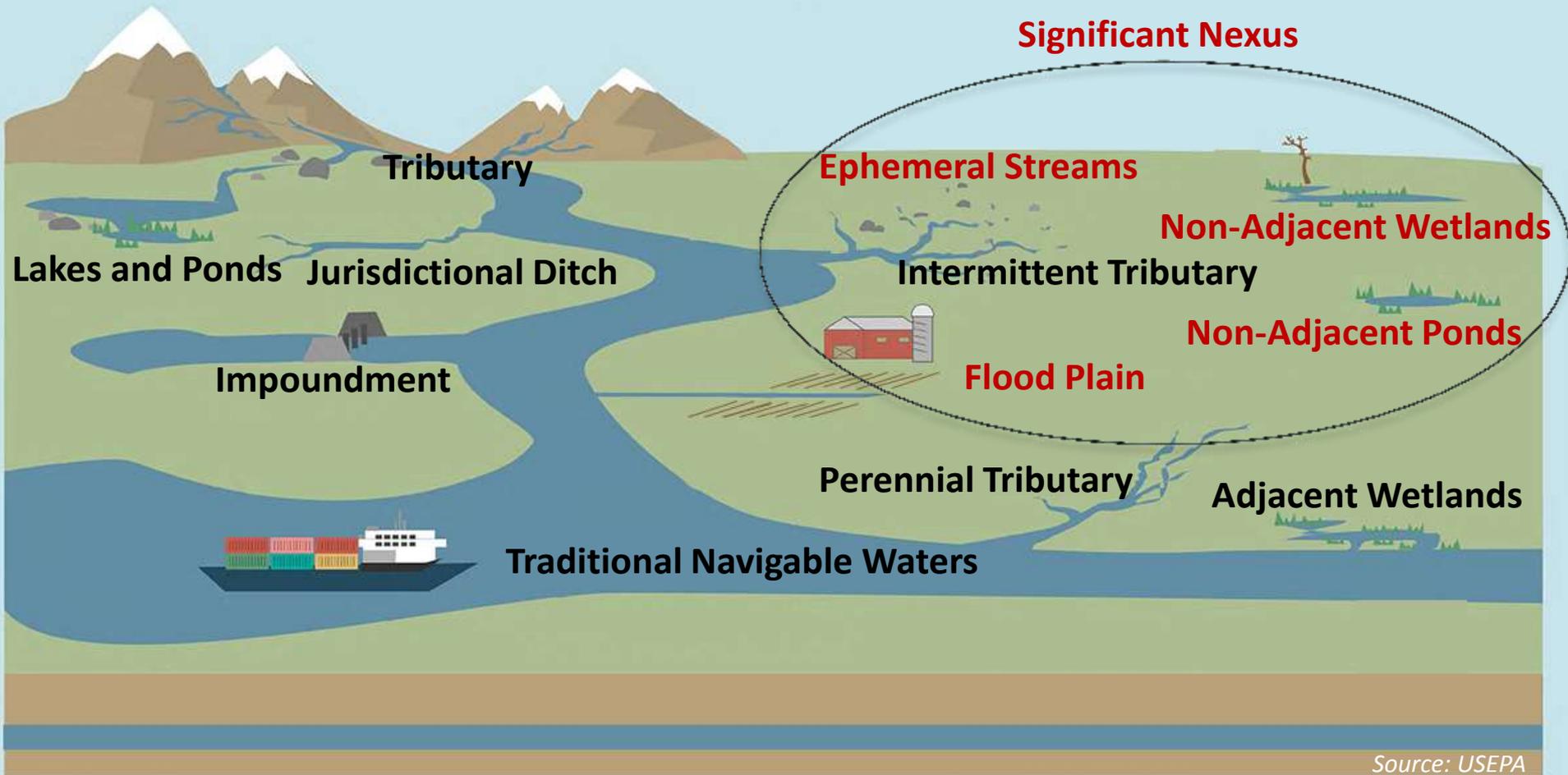
2019 Proposed Rule

- Executive Order
 - Rescind and revise 2015 Rule
 - Based on Scalia opinion
- Consultations with states and tribes
- Early request for information
- Rule published February 14, 2019
- Comments due by April 15, 2019

WOTUS – 2015 Rule

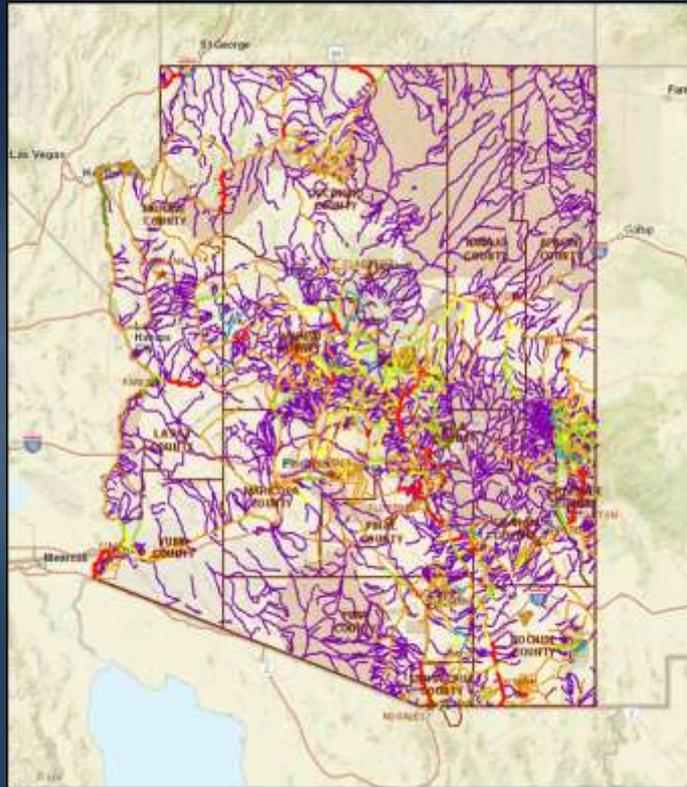


WOTUS – 2019 Proposed Rule



WOTUS – Changes in Coverage

2015 Rule



NHD & NWI Data Sets

Perennial – 1%

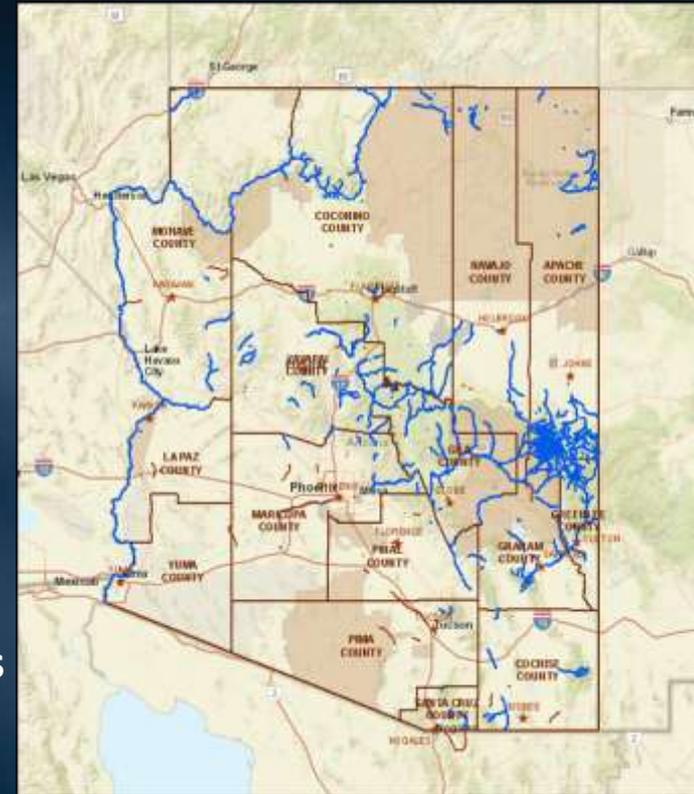
Intermittent – 7%

Ephemeral – 51%

Other* -- 41%

*unclassified streams,
aqueducts, canals, ditches

2019 Rule



Data courtesy of Salt River Project, AZ

Potential Impacts to Metropolitan from the 2019 Rule



- Source water protection
- Permitting implications

Next Steps

- Review 2019 rule
- Monitor WOTUS hearings
- Monitor court cases
- Coordinate with industry associations
- Provide comments

