



September 5, 2014

Water Docket, Environmental Protection Agency
Mail Code 2822T
1200 Pennsylvania Avenue NW.
Washington, DC 20460

Attention: Docket ID No. EPA-HQ-OW-2011-0880

Dear EPA Administrator Gina McCarthy,

I'm writing on behalf of the Livestock Marketing Association (LMA) to request that the Environmental Protection Agency (EPA) not finalize its proposed rule defining Waters of the United States.

The LMA is the leading national trade organization for more than 800 livestock marketing businesses located throughout the United States. We represent more than 75 percent of the regularly selling local livestock auction markets. We have a great deal of concern with how the proposed rule could negatively affect livestock producers and all related businesses.

We view this proposal as an unlawful expansion of federal jurisdiction far beyond the intent of Congress with the Clean Water Act. The rule greatly expands the waters that would fall under federal jurisdiction, undermining the states' authority as the primary managers of water resources within their borders.

This proposal has taken far too much liberty in expanding the definition of Waters of the U.S. Many agriculture ditches, despite the limited exceptions, would now be considered Waters of the U.S. This is inappropriate. Similarly, ephemeral streams and dry streambeds should not be included in the definition of Waters of the U.S.

In addition to expanding the definition of tributaries, expanding areas to be covered by the adjacent definition to "adjacent waters" instead of "adjacent wetlands" again adds authority and increases concern about what waters would be included under this expansion.

The LMA strongly recommends that the EPA not finalize its proposed definition of Waters of the United States and instead abandon this rule altogether.

Sincerely,

Dan Harris
LMA President

Over 50 years of dedicated service to the Livestock Industry

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