

December 22, 2025

Act Now Comal
Alamo, Austin, and Lone Star chapters of
the Sierra Club
Bexar Audubon Society
Bexar and Travis-Austin Green Parties
Bexar Grotto
Boerne Together
Bulverde Neighborhood Alliance
Bulverde Neighborhoods for Clean Water
Cibolo Center for Conservation
Citizens for the Protection of Cibolo
Creek
Comal Conservation
Comfort Neighbors
Congregation of Divine Providence
Environment Texas
First Universalist Unitarian Church of SA
Fitzhugh Neighbors
Friends of Canyon Lake
Friends of Castroville Regional Park
Friends of Dry Comal Creek
Friends of Government Canyon
Fuerza Unida
Green Society of UTSA
Guadalupe Riverkeepers
Guadalupe River Road Alliance
Guardians of Lick Creek
Hays Residents for Land & Water
Protection
Headwaters at Incarnate Word
Helotes Heritage Association
Hill Country Alliance
Kerr County Water Alliance
Kendall County Well Owners Association
Las Moras Springs Association
Leon Springs Business Association
Llano River Watershed Alliance
Native Plant Society of Texas -- NB
Native Plant Society of Texas -- SA
Northwest Interstate Coalition of
Neighborhoods
Pedernales River Alliance -- Gillespie Co.
Preserve Castroville
Preserve Lake Dunlop Association
Preserve Our Hill Country Environment
River Aid San Antonio
San Antonio Audubon Society
San Antonio Conservation Society
San Marcos Greenbelt Alliance
San Marcos River Foundation
Save Barton Creek Association
Save Our Springs Alliance
Scenic Loop/Boerne Stage Alliance
Securing a Future Environment (SAFE)
SEED Coalition
Signal Hill Area Alliance
Solar San Antonio
Texans for Environmental Awareness
Texas Cave Management Association
Trinity Edwards Spring Protection Assoc.
Water Aid -- Texas State University
Watershed Association
Wildlife Rescue & Rehabilitation

U.S. Environmental Protection Agency
EPA Docket Center, Mail Code 28221T
1200 Pennsylvania Avenue NW
Washington, DC 20460

**Re: Proposed Updated Definition of “Waters of the United States” Rule, Docket
Number EPA-HQ-OW-2025-0322-0001**

The Greater Edwards Aquifer Alliance (GEAA) submits these comments in strong opposition to the recently proposed rulemaking regarding the definition of “Waters of the United States” under the Clean Water Act. GEAA is a nonprofit organization dedicated to the protection and preservation of the Edwards and Trinity aquifers, their springs, watersheds, and the Texas Hill Country that sustains them. Our alliance has 62 member groups across 21 counties in the Texas Hill Country region. We work in this field to ensure the protection of the health, safety, and welfare of all those who rely on these sources of water. We appreciate the Bayou City Waterkeepers for their insightful public comments, many of which we have relayed below.

As proposed, the rule will dramatically weaken Clean Water Act protections for the nation’s waters and give developers and polluters additional, unwarranted license to degrade our nation’s waterways. Weakened rules would threaten already-limited water supplies on which communities rely for drinking water, irrigation, businesses, and more and would increase flood-related risks.

The scope of waters receiving Clean Water Act protections has already been alarmingly eroded as a result of the Supreme Court’s decision in *Sackett v. EPA*. The nation cannot afford any additional rollbacks to these protections. Instead of removing vital Clean Water Act protections from even more streams and wetlands, EPA and the US Army Corps of Engineers (Corps) should work to restore protections to better protect the waterways that are so vital to our communities, wildlife and the wellbeing of this country.

The Clean Water Act is a foundational law, based in science, that has been the main tool used to protect drinking water supplies and keep our rivers, lakes, and streams healthy. It protects water by using permits and instituting other safeguards to limit harmful dumping of sewage and industrial waste, preventing precious waterways from being damaged, contaminated, or destroyed. People everywhere need robust clean water protections to prevent industrial polluters from threatening the health and safety of people, wildlife, and critical ecosystems.

The U.S. Supreme Court significantly narrowed the scope of federal protections under the Clean Water Act, through its decision in *Sackett v. EPA*. This decision removed safeguards for about two-thirds of the nation’s wetlands and up to 5 million miles of the nation’s streams. To conform to this decision, the agencies released a new rule in 2023 – no further action is required. Yet, this new proposed rulemaking strips away protections far beyond what the *Sackett* decision required, disregarding the science-based foundation and intent of the Clean Water Act, and the public’s robust support for keeping strong protections for rivers, lakes, streams, and drinking water.

The proposed rule uses arbitrary and confusing methods to further restrict Clean Water Act safeguards to vital waterways, such as wetlands and streams. The value of wetlands and small streams to clean water is indisputable. Wetlands filter the water that eventually flows

from our taps, provide immense flood storage and retention, recharge groundwater and streams during dry times, and provide valuable habitat for wildlife among many other functions. Likewise, streams that do not flow year-round provide over 50% of the flow or more to our most treasured rivers. This is our drinking water, the places that sustain us, and the places where we swim, hunt and fish. At least [117 million people](#) – and probably far more – get their drinking water from sources fed by these streams. Clean water also fuels economies – communities and businesses cannot function without it, and decades have shown that economic growth is not only compatible with, but benefits from, these protections.

Furthermore, the proposed “wet season” determination and generalized modeling will not consider the diverse climate and hydrology experienced across Texas. The proposed rule relies on a generalized “wet season” determination to assess whether waters exhibit relatively permanent flow. This approach does not reflect Texas’ highly variable climate, exemplified by long periods of droughts followed by intense rain events resulting in flash flooding. Waters that are dry during drought periods but have significant flow during storms may be classified as non-jurisdictional despite their role in flood mitigation. The proposed modeling approach risks the exclusion of functionally critical waters based on timing rather than hydrological performance.

Texas has a highly variable climate that further exacerbates the issues related to maintaining a continuous surface connection. Long drought periods followed by intense rainfall increases our risk of flash flooding – this holds especially true in the Texas Hill Country. Wetlands are essential at providing flood protection during storms and are the first line of defense in holding water and reducing the speed of flow. These wetlands filter pollution, recharge groundwater, protect wildlife habitat, and reduce flooding. Once they’re gone, they don’t come back on their own. When wetlands disappear, communities must build costly artificial systems to replace the functions that wetlands once provided for free. These costs then fall on residents through higher taxes, higher insurance premiums, or both. In short: removing protections may save polluters money, but it shifts the financial burden onto everyday Americans.

The rule also expands on the inclusion of ditches, channelized streams, and modified drainage features. In a large metroplex region, where flood and stormwater management often rely on engineered systems, this is a major cause for concern. These water bodies either will lose protection or will be impacted by the loss of their upstream tributaries’ protection, leading to more trash, sewage, and other pollution, as well as irresponsible development that will increase flood risks.

Now is the time to strengthen clean water protections, not weaken them. We appreciate the opportunity to weigh in on this important matter. We hope the EPA and the Corps will take seriously their obligation under the law to protect our nation’s waters, communities, and public health.

Thank you for your consideration, we look forward to working with you on this issue.

A handwritten signature in black ink that reads "Rachel Hanes". The signature is written in a cursive, flowing style.

Rachel Hanes
Policy Director
Greater Edwards Aquifer Alliance