The proposal to gut clean water protections is officially out for public comment. The administration’s proposal threatens to strip protections for hundreds of thousands of miles of streams and millions of acres of wetlands in the United States. It will leave a vast amount of wetlands unprotected against pollution and fill. Estimates show it would end protections for millions of acres of wetlands in the contiguous U.S., including at least 290,000 stream miles in the Southeast.

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### Protections At A Glance

<table>
<thead>
<tr>
<th>Type of Water</th>
<th>Pre-2015 Rules and Guidance</th>
<th>2015 Clean Water Rule</th>
<th>2019 Replacement Rule Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traditional Navigable Waters (navigable, perennial oceans, sounds, tidal waters, lakes, rivers, streams, and impoundments)</td>
<td>Protected</td>
<td>Protected</td>
<td>Protected</td>
</tr>
<tr>
<td>Small perennial streams that contribute flow to jurisdictional waters</td>
<td>Protected</td>
<td>Protected</td>
<td>Protected</td>
</tr>
<tr>
<td>Intermittent streams</td>
<td>Protected</td>
<td>Protected</td>
<td>Protected</td>
</tr>
<tr>
<td>Interstate waters</td>
<td>Protected</td>
<td>Protected</td>
<td>Protected</td>
</tr>
<tr>
<td>Ephemeral streams</td>
<td>Protected</td>
<td>Protected</td>
<td>Protected</td>
</tr>
<tr>
<td>Wetlands adjacent to traditional navigable waters</td>
<td>Protected</td>
<td>Protected</td>
<td>Protected</td>
</tr>
<tr>
<td>Wetlands adjacent to tributaries</td>
<td>Protected</td>
<td>Protected</td>
<td>Protected</td>
</tr>
<tr>
<td>Wetlands not adjacent to navigable waters or tributaries to navigable waters</td>
<td>Not protected unless meets one of the definitions of jurisdictional water</td>
<td>Not protected unless wetland touches or has a direct hydrologic surface water connection to a traditional navigable water in a typical year. Connection must be via inundation from a traditional navigable water or via perennial or intermittent flow between the wetland and traditional navigable water.</td>
<td>The agencies may further limit protection by setting a specific distance beyond which wetlands would not be protected, in addition to other limitations.</td>
</tr>
</tbody>
</table>

- **Traditional Navigable Waters**: These are defined as navigable, perennial oceans, sounds, tidal waters, lakes, rivers, streams, and impoundments.

- **Wetlands**: Wetlands are protected under the Clean Water Act unless they meet specific criteria for being excluded.

- **Intermittent Streams**: Streams that flow only during specific seasons or events and do not flow continuously.

- **Ephemeral Streams**: Streams that flow only on rare occasions due to precipitation.

- **Non-Jurisdictional Waters**: These include small and temporary features such as puddles, which are not protected under the Clean Water Act.

- **Likely Not Protected**: The agencies are considering setting a flow rate limit that would exclude many low-flow perennial streams.

- **Likely Not Protected**: The agencies are considering limiting the definition of tributary to perennial streams only and other extreme limitations on intermittent stream protections.

EPA adopted a broad interpretation of waters of the U.S. in 1977 and 1982 implementing regulations. The Corps, however, did not in 1977 or 1982 adopt the same interpretations of the 1977 and 1982 regulations. Instead, the Corps adopted a more restrictive interpretation of the Clean Water Act, defining waters of the U.S. as those that are contiguous to traditional navigable waters or tributaries to such waters.