



## Summary and Analysis of Public Comments on Guidance Regarding Clean Water Act Jurisdiction Following the Rapanos Decision

### U.S. Environmental Protection Agency Office of Wetlands, Oceans and Watersheds

Under an existing GSA contract, the Horsley Witten Group (HW) assisted the United States Environmental Protection Agency (U.S. EPA) in organizing, analyzing, and summarizing the approximately 62,000 public comment letters received by the U.S. EPA on the implementation of the 2007 Joint Guidance document prepared by EPA and the Army Corps of Engineers (Corps). The Guidance document was developed in response to the U.S. Supreme Court consolidated cases, *Rapanos v. United States* and *Carabell v. United States* (or *Rapanos*), which addressed jurisdiction over waters of the United States under the Federal Clean Water Act (33 U.S.C. 1251, et seq.), for which there was no majority opinion.



The results of this project were used by EPA and Corps to shape the future implementation of the Rapanos court decision, and the issuance of revised Guidance.

HW is providing expert witness service in federal court proceedings about the nutrient attenuation functions of wetlands as they pertain to the Rapanos & U.S. Supreme Court findings.

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