

## **Advocacy Comments on EPA's and the Army Corp's Guidance Regarding Identification of Waters Protected by the Clean Water Act**

On June 22, 2011, the Office of Advocacy (Advocacy) submitted public comments to the U.S. Army Corps of Engineers and the Environmental Protection Agency on the proposed Guidance Regarding Identification of Waters Protected by the Clean Water Act. A copy of Advocacy's comments may be viewed at [www.sba.gov/advocacy](http://www.sba.gov/advocacy).

- On May 2, 2011, the Agencies published the proposed Guidance for determining whether a waterway, water body, or wetland is protected by the Clean Water Act. The Guidance would replace previous guidance concerning the scope of protection for critical waters.
- Advocacy encourages the Agencies to include in their economic analysis discussion of how increasing the number and kind of waters that will be subject to permitting requirements under the Clean Water Act will also increase small businesses expenses with respect to the Endangered Species Act.
- Advocacy also encourages the Agencies to consider commenters requests for additional time to comment on the proposed Guidance as well as requests to pursue the goals of the Guidance as a rulemaking as opposed to guidance.

For more information, visit Advocacy's website at <http://www.sba.gov/advocacy> or contact Kia Dennis at 202-205-6936.