

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

(202) 225-6371
www.science.house.gov

August 27, 2014

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20004

Dear Administrator McCarthy,

Last month, the Environmental Protection Agency (EPA) appeared before the Science, Space, and Technology Committee to answer questions about the Agency's attempt to redefine Clean Water Act jurisdiction. Science Committee investigations revealed that the EPA had assembled maps of waters and wetlands in all 50 states. When confronted at the hearing, EPA Deputy Administrator Bob Perciasepe agreed to release the maps. Until now, these EPA maps have never been made public.

These maps show the EPA's plan: to control a huge amount of private property across the country. Given the astonishing picture they paint, I understand the EPA's desire to minimize the importance of these maps. But the EPA's posturing cannot explain away the alarming content of these documents. It's time to give Americans a chance to make up their own minds about the EPA's intentions. So, today I will be posting the maps on the Committee's website for public review.

You claim that the EPA has *not yet* used these maps to regulate. However, the EPA failed to explain why it used taxpayer money to create these maps. It is apparent that the EPA paid a private contractor to make many of these maps, yet the details of the arrangement remain murky. While the Agency marches forward with a rule that could fundamentally re-define Americans' private property rights, the EPA kept these maps hidden.

Serious questions remain regarding the EPA's underlying motivations for creating such highly detailed maps. The maps were created just days after the EPA announced the rule and show its sweeping scope. The EPA's job is to regulate. The maps must have been created with this purpose in mind.

In light of the ongoing rulemaking and the obvious questions these maps raise, the EPA should immediately:

1. Provide all documents and communications related to the EPA's contract with INDUS Corporation to create these maps, including original contracts, specifications of work, and any internal or external exchanges regarding the October 2013 maps;
2. In an unaltered and original form, enter these and any other previously undisclosed maps in the EPA's possession into the official rulemaking docket for public review and comment; and
3. Keep the public comment period open for at least 60 days after the maps entry in the official rulemaking docket to provide adequate opportunity for public review and comment.

The American people are tired of getting the run-around. If the EPA is serious about providing clarity, this request should be easy to answer. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Lamar Smith".

Lamar Smith
Chairman
Committee on Science, Space, and
Technology

cc: Lieutenant General Thomas P. Bostick, Commanding General and Chief of Engineers, U.S. Army Corps of Engineers