

**Allagash Brewing Company · Aslan Brewing Company · Avery Brewing Co. · Backslope Brewing  
Bale Breaker Brewing Company · Bang Brewing · Baxter Brewing Co.  
Bent Paddle Brewing Co. · Bent Water Brewing Co. · Big Grove Brewery  
BrewDog Brewing Company · Brewery 85 · Brewery Techne/Bar Hygge · Brewery Vivant  
Brooklyn Brewery · Bull City Burger and Brewery · Cahaba Brewing Company  
Earth Bread + Brewery · Engrained Brewery · Fibonacci Brewing Company  
Fiddlin' Fish Brewing Company · Flying Fish Brewing Co. · Founders Brewing Co.  
Greenstar Organic Brewery · Half Acre Beer Company · Hanging Hills Brewing Company  
Horse & Dragon Brewing Company · Lakefront Brewery · Land-Grant Brewing Company  
Maine Beer Company · Market Garden Brewery · Maui Brewing Co. · Mill River Brewing  
MotoSonora Brewing Company · Naked River Brewing Company · New Belgium Brewing  
Nod Hill Brewery · North High Brewing · Old Bust Head Brewing Company · One World Brewing  
Orono Brewing Company · Pilot Project Brewing · Revolution Brewing · Right Brain Brewery  
Sedona Beer Co. · Short's Brewing Company · Sierra Nevada Brewing Company  
Starr Hill Brewery · Temperance Beer Company · The Alchemist · ThirstyBear Organic Brewery  
Upslope Brewing Company · Wild Onion Brewery · Wren House Brewing Co. · Zed's Beer**

April 14, 2021

Michael Regan, Administrator  
Radhika Fox, Principal Deputy Assistant Administrator for the Office of Water  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave NW  
Washington, DC 20460

Dear Administrator Regan and Deputy Assistant Administrator Fox:

We urge you to undo the Trump administration's harmful rollbacks to our nation's clean water protections. After four years of attacks on the Clean Water Act, we are counting on you to restore strong safeguards for our most important ingredient.

Beer is mostly water, a resource that our businesses care about deeply. The quality of our source water significantly affects our finished product. Compounds present in brewing water can affect pH, aroma, and taste. Trace quantities of metals can affect the metabolism of yeast and the physical properties of beer, including its color and stability. Even small chemical disruptions in our water supply could influence the quality of our brews.

For breweries that depend on surface water, unexpected changes in water quality due to pollution can affect the brewing process and our bottom line. We need reliable sources of clean water to consistently produce the great beer that is key to our success. It is thanks in part to this important natural resource that the craft brewing industry contributes about \$82.9 billion to the U.S. economy each year, along with more than 580,000 jobs.<sup>1</sup>

Under the Trump administration, the EPA took several actions that threatened our sources of clean water. It stripped nationwide protections from wetlands and streams, ignoring the

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<sup>1</sup> Brewers Association statistics from 2019. <https://www.brewersassociation.org/statistics-and-data/economic-impact-data/>.

overwhelming scientific evidence that these waterways are important to downstream water quality. It weakened water pollution standards for coal-burning power plants, the largest source of toxic water pollution in the United States. And it created legal loopholes for pollution discharges that travel into waterways through groundwater. Your predecessors at the agency implemented these changes over the objections of industries like ours that need clean water in order to grow and thrive.

We strongly support President Biden’s executive order of January 20, 2021 directing agencies to review the previous administration’s actions to determine whether they are inconsistent with the goals of “listen[ing] to the science,” “protect[ing] our environment,” “ensur[ing] access to clean air and water,” and “hold[ing] polluters accountable”; and, if so, to suspend, revise, or rescind those actions.<sup>2</sup>

Two items on the fact sheet accompanying the executive order, which lists agency actions to be reviewed, are clearly inconsistent with those goals: the “Navigable Waters Protection Rule” narrowing the definition of waters protected by the Clean Water Act, and the “Steam Electric Reconsideration Rule” weakening pollution limits for coal-fired power plants.<sup>3</sup> Craft brewers joined efforts to oppose both rules when they were proposed. They must be rescinded as soon as possible and replaced with new rules that are based on sound science.

We also urge you to add an additional action to the list: the agency’s recent guidance on applying the Supreme Court’s decision in *Maui v. Hawaii Wildlife Fund* to pollution discharges that travel through groundwater before reaching surface waters.<sup>4</sup> Craft brewers have urged both the agency and the Supreme Court to ensure that these discharges are controlled to keep our water safe for drinking and brewing.

Clean water is central to our long-term business success. Moreover, it is vital to the health and the economy of the communities where we live and work. We stand ready to support your efforts to implement the president’s executive order and strengthen our nation’s clean water protections.

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<sup>2</sup> Exec. Order No. 13,990, 86 Fed. Reg. 7037 (Jan. 20, 2021), <https://www.federalregister.gov/documents/2021/01/25/2021-01765/protecting-public-health-and-the-environment-and-restoring-science-to-tackle-the-climate-crisis>.

<sup>3</sup> The White House, Fact Sheet: List of Agency Actions for Review (Jan. 20, 2021), <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-list-of-agency-actions-for-review/>.

<sup>4</sup> EPA, Guidance Memorandum: Applying the Supreme Court’s *County of Maui v. Hawaii Wildlife Fund* Decision in the Clean Water Act Section 402 National Pollutant Discharge Elimination System Permit Program (Jan. 14, 2021), [https://www.epa.gov/sites/production/files/2021-01/documents/final\\_ow\\_maui\\_guidance\\_document\\_-\\_signed\\_1.14.21.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/final_ow_maui_guidance_document_-_signed_1.14.21.pdf).

Thank you for considering our views on this important matter.

Sincerely,



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Brewmaster  
Portland, ME



Brian Ferrazzani  
Quality Manager  
Lynn, MA



Jack Lamb  
CEO  
Bellingham, WA



David Moore  
COO/Partner  
Iowa City, IA



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Zed's Beer