

Trump's EPA is said to cut scientists out of new water policy that threatens New England wetlands

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Kyla Bennett of the Public Employees for Environmental Responsibility toured vernal pools in the Hockomock Swamp in Easton. CRAIG F. WALKER/GLOBE STAFF/GLOBE STAFF

With the Trump administration poised to roll back key protections for much of the nation's wetlands, scientists at the US Environmental Protection Agency are accusing the agency's political appointees of ignoring their advice and barring them from shaping sweeping new guidelines, violating the agency's longstanding policies.

One scientist was so distraught that the agency veteran started to cry while explaining how EPA administrators have cut specialists out of the process of crafting rules that prevent development and pollution near streams, tidal waters, and ponds.

“This has been a very painful time to work for the agency,” the scientist said in a recent interview, speaking on condition of anonymity because of fear of reprisal. “We’re being asked to do things that most of us feel is the antithesis of what we’ve been trying to do, and, in some cases, undo things that we’ve worked very hard to accomplish.”

Then, the scientist broke down.

As soon as this weekend, after three years of attempting to scale back a raft of other environmental regulations, President Trump is expected to announce a far-reaching new policy that could drastically curb protections of the nation’s streams and wetlands and impact critical headwaters across New England.

In late 2018, the Trump administration released a draft of its plan to alter the nation’s water policy, which aims to overturn protections introduced three years earlier during the Obama administration. The changes, according to the [agency’s own data](#), would eliminate environmental protections from about half the country’s wetlands and millions of miles of streams.

In New England, despite state protections that could limit the impact of such federal moves, changes to the so-called Waters of the United States rule could affect thousands of vernal pools, bodies of water in forests that provide habitat to many species; isolated wetlands; and a range of streams that flow after heavy rains or during specific seasons.

That means in communities without specific bylaws that prevent pollution or development in those areas, a developer wouldn’t need a permit to fill those wetlands, or a company could legally dump chemicals on that property.

Elsewhere in the nation, particularly in the Southwest, the vast majority of streams could lose federal protections against pollution and development.

Proponents, including groups representing farmers and home builders, have hailed the new regulations as overdue. When announcing the draft rules a year ago, EPA officials said the changes would increase economic growth, reduce barriers to business development, and clear up nebulous language that has sparked litigation.

“Our simpler and clearer definition would help landowners understand whether a project on their property will require a federal permit or not, without spending thousands of dollars on engineering and legal professionals,” EPA Administrator Andrew Wheeler said at the time.

Miners, developers, and other industries have pushed for the change. Speaking last year at the annual convention of the American Farm Bureau Federation, one of the leading advocates for the new rules, Trump said the changes would save farmers from “one of the most ridiculous regulations ever imposed on anybody in our nation.”

But even the agency’s own board of scientific advisers — many of whom were appointed by the Trump administration — have dissented. In a letter to Wheeler late last year, the advisers wrote that the proposed rule was “in conflict with established science . . . and the objectives of the Clean Water Act.”

As the administration has worked on completing the final rules, more than 40 current and former scientists, career employees, and political appointees are voicing their concerns.

In a letter submitted this weekend to the agency’s inspector general requesting an investigation, [members of the group Public Employees for Environmental Responsibility](#) alleged that political appointees in the agency have “suppressed” and “dismissed” the scientific opinions of career employees.

“There was no honest investigation, no commitment to the evidence, no culture of robust scientific inquiry and discussion, and no transparency,” they wrote in the complaint, which was signed by former EPA regional administrators and senior water specialists.

“These headquarters employees have suppressed evidence, misrepresented data, exaggerated uncertainties, and let perceived policy implications improperly override undisputed scientific conclusions.”

They added, “This case is not one of a difference of personal views: the overwhelming number of former and current agency personnel, together with the [Science Advisory Board] and independent scientists, all agree that the headquarters employees improperly rejected science.”

Among those who signed the letter was Curt Spalding, the EPA regional administrator in New England during the Obama administration. He said there was a clear difference in how the Trump and Obama administrations approached changes to the nation’s water protections.

Before the Obama administration announced new rules in 2015, which expanded protections throughout the country, scientists and other specialists met repeatedly to help shape the rules and provided guidance that shaped the ultimate rules, he said.

“It’s clear that they’re not paying attention to the science about protecting water quality,” said Spalding, a professor at Brown University. “We tried to build a rule grounded in science; what they’re doing will mean a lot less protection for very important wetlands throughout New England that are vital to our ecosystems and drinking water.”

Another signatory of the letter, Matt Schweisberg, a former chief of wetlands protection at EPA in New England, told the Globe he worries that the agency’s final rules will be even worse than the draft version.

The proposed changes would mean that a vast number of streams and ponds won’t be protected by the Clean Water Act, a landmark law passed in 1972 that led to the cleanup and preservation of many of the nation’s waterways, he said.

“I have not seen such a wholesale abandonment of environmental protection in the 40 years I’ve been at this, and I went through the changes during the Reagan

administration,” said Schweisberg, now an environmental consultant in Merrimac. “I think it’s certain that the impacts of this are going to be extremely harmful.”

In response to the allegations, EPA officials said in a statement that the agency “takes science integrity seriously” and that the “career professionals” at the EPA and US Army Corps of Engineers have been “actively involved” in the development of the new rules.

“Assertions that the Trump administration’s revised definition . . . will leave thousands of stream miles and millions of acres of wetlands unprotected are categorically false,” said Michael Abboud, an EPA spokesman.

He said previous federal definition of the waters subject to the new rules have proven “too speculative to be meaningful for regulatory purposes.”

The final rule, he said, “will be grounded in the law, informed by science.”

He added, “A reputable newspaper like The Boston Globe should know better than to run a baseless story.”

Among the groups that have supported the EPA’s efforts to change the water rules is the National Cattlemen’s Beef Association, a trade group representing 25,000 beef producers around the country.

They said the rules implemented during the Obama administration meant that nearly every cattle producer with more than 20 acres of land would have been forced to wade through a sometimes-expensive, bureaucratic process to do basic things such as build a feedlot. A federal judge blocked the Obama rule from taking effect in many states.

“We think the new rule is going to be a step in the right direction,” said Scott Yager, chief environmental counsel to the association. “The 2015 rule expanded the federal government reach beyond what we have ever experienced in history.”

But environmental advocates said the arguments supporting the administration’s changes are misleading.

“The EPA’s own graphs and numbers show how much will be lost,” said Kyla Bennett, a former wetlands scientist at the EPA who now serves as science policy director of Public Employees for Environmental Responsibility. “The fact that so many current and former federal employees have spoken out against this flawed rulemaking process speaks volumes.”

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