

Freedom of Information Act: U.S. EPA Records Related to Clean Water Act Wetland Meeting Requested



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The Center for Biological Diversity (“CBD”) submitted a March 22nd Freedom of Information Act request (“FOIA”) to the United States Environmental Protection Agency (“EPA”) for records related to:

1. All communications with any outside parties discussing or referencing Executive Order 13778 and/or its content or development;
2. All records discussing or referencing Executive Order 13778 and/or its content, including but not limited to such records that discuss or reference the development of the EO and/or implementation of the EO or its content (even if the EO itself is not explicitly discussed or referenced);
3. All records discussing or referencing any request or authorization from the EPA’s Designated Agency Ethics Official for EPA Administrator Scott Pruitt to participate in the development or implementation of the EO; and
4. All records generated by the Designated Agency Ethics official and/or his/her office in connection with the preparation of the EO and/or its content or development.

CBD stated in a March 22nd news release that it is seeking EPA records related to “closed-door meetings with states and ‘stakeholders’ to develop a weakened regulatory framework for protecting wetlands under the Clean Water Act.”

CBD’s March 22nd letter includes a request for fee waiver. The organization makes the following arguments in support of the request:

- The Subject of This Request Concerns “The Operations and Activities of the Government
- Disclosure is “Likely to Contribute” to an Understanding of Government Operations or Activities
- Disclosure of the Requested Records Will Contribute to a Reasonably Broad Audience of Interested Persons’ Understanding of the Development of Executive Order 13778
- Disclosure is Likely to Contribute Significantly to Public Understanding of Government Operations or Activities
- The Center has a Demonstrated Ability to Disseminate the Requested Information Broadly
- Obtaining the Requested Records is of No Commercial Interest to the Center

[A copy of the CBD news release and March 22nd request can be downloaded here.](#)