



## Environmental Data and Governance Initiative Website Access Assessment Report

[envirodatagov.org](http://envirodatagov.org) | [edgi.websitemonitoring@protonmail.com](mailto:edgi.websitemonitoring@protonmail.com)

### Removal of Information and Reduction in Access to Resources on the EPA's Clean Water Rule Website

June 29, 2017

Writing and review of this report was conducted and overseen by the members of EDGI's Website Monitoring Committee: Maya Anjur-Dietrich, Andrew Bergman, Gretchen Gehrke, and Toly Rinberg.

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## Removal of Information and Reduction in Access to Resources on the EPA's Clean Water Rule Website

The Environmental Protection Agency (EPA) overhauled its website pertaining to the “Clean Water Rule,” also referred to as “Waters of the U.S.” (WOTUS) Rule. The previous website that extensively described the [Clean Water Rule and its benefits](#), describing the scientific research behind the rule and providing extensive [stakeholder fact sheets](#), was replaced by a website providing information about the EPA's review of the WOTUS Rule, which was ordered by Executive Order 13778 on February 28, 2017. While many of the resources on the “Clean Water Rule” pages are archived, none of their former URLs redirect to the archived resources, rendering them difficult to find and significantly reducing their accessibility.

### Description of Change in Access

1. On May 15, 2017, the EPA released a [statement](#) announcing the “EPA Launches New ‘Waters of the U.S.’ Website” and that the “new site aims to provide transparency and information about EPA review of ‘WOTUS’”. This statement follows the February 28, 2017 [executive order to review the WOTUS rule](#). The statement says, “All the pages, information and documentation from the Clean Water Rule site will remain available in the EPA archived site, [archive.epa.gov](#).”
2. The current “[Waters of the United States \(WOTUS\) Rulemaking](#)” website replaced the “[Clean Water Rule](#)” website shortly after the EPA's website overhaul announcement.
3. All of the pages under the “[epa.gov/cleanwaterrule](#)” subdomain now redirect to the single URL “[epa.gov/wotus-rule](#).”
4. In advance of the changeover, the EPA archived most of the [January 19, 2017](#) and the [May 10, 2017](#) versions of the “Clean Water Rule” website.<sup>1</sup> (Since January 19, the “Clean Water Rule” website was updated to reflect Trump administration policy, with changes only to the banner text and sidebar on the homepage. This report focuses on the May 10th version of the website.) While these resources can all be found in the EPA Web Archive, none of their former URLs redirect to these archives, significantly reducing their accessibility.
5. The removed “Clean Water Rule” website hosted resources describing the Clean Water Rule and its benefits (Page 1) that are now only available in the archives mentioned above.

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<sup>1</sup> The previous Spanish language page describing [the Executive Order to evaluate the Clean Water Rule](#), however, is [no longer live](#), though all of the links on that page direct to other live pages. A new Spanish language page describing [WOTUS rulemaking](#) has been added. The previous page is not itself archived in the January 19 snapshot or the EPA Web Archive, likely because of a copying error resulting from the format of the URL being <subdomain>.epa.gov, rather than www.epa.gov/<subdomain>. This is similar to the error identified in our [previous report](#) where a website hosted on www3.epa.gov subdomain was also not archived in the January 19 snapshot or the EPA Web Archive (*Note: since the release of that report, the website has been added to the Web Archive*). These errors in archiving may generalize although an exhaustive study has not yet been performed by EDGI.

- a. The following were the main pages explaining the regulatory details of the Clean Water Rule: "[What the Clean Water Rule Does](#)" and "[What the Clean Water Rule Does Not Do](#)."
  - b. The following were the main pages that advocated for the benefits of the Clean Water Rule: "[Streams and Wetlands Matter](#)", "[Why Clean Water Rules](#)", "[Populations that Get Drinking Water from Streams](#)", and "[Slideshow About the Clean Water Rule](#)."
6. The current "WOTUS" website provides resources describing the rulemaking and review process. The main pages on the website are: "[About Waters of the United States](#)", "[Rulemaking Process](#)", and "[Frequently Asked Questions](#)" (Page 2).

## Detailed Description of Change in Access

### Page 1: Clean Water Rule

#### Previous Website

- URL: <https://www.epa.gov/cleanwaterrule>  
(currently redirects to <https://www.epa.gov/wotus-rule>)
  - *Note: The page described in Screenshot 1.1 is largely unchanged from the Obama administration version (January 19, 2017 and before), with several headline changes on the main page to the banner and sidebar adding statements and links to pages from the early days of the Trump administration about plans to rescind the rule.*
- All pages on the “/cleanwaterrule” subdomain currently redirect to the URL “epa.gov/wotus-rule”
- Redirect began between **May 15, 2017 11:49 AM ET** and **May 16, 2017 3:38 AM ET**
- The EPA archived the entire “/cleanwaterrule” domain on two different dates (*Note: While many of the “Clean Water Rule” pages are archived, none of the old URLs redirect to the archived pages, rendering them difficult to find and significantly reducing their accessibility*):
  - Corresponding EPA Web Archive mirror: <https://archive.epa.gov/epa/cleanwaterrule.html>
    - According to page source code, the main page for the /cleanwaterrule domain was mirrored on **May 10, 2017 2:59 PM ET**
      - “<!-- Mirrored from www.epa.gov/cleanwaterrule by HTTrack Website Copier/3.x [XR&CO'2014], Wed, 10 May 2017 18:59:22 GMT -->”
  - Corresponding January 19, 2017 snapshot: <https://19january2017snapshot.epa.gov/cleanwaterrule.html>
    - *Note: the January 19 snapshot differs slightly from the EPA Web Archive mirror since the website was altered between Jan 19 and May 10, however these differences are not detailed in this report.*

#### Screenshot 1.1

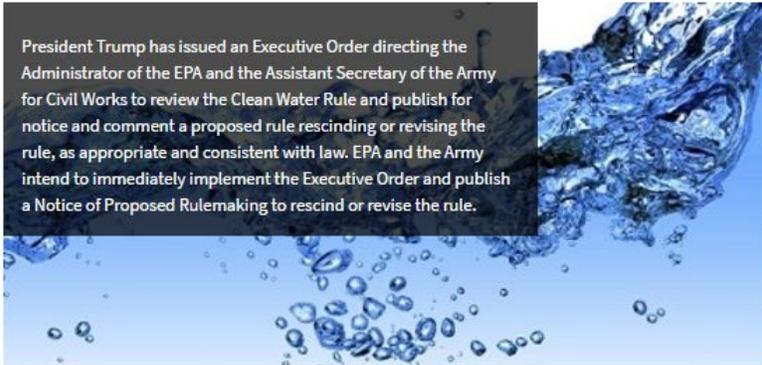
*Note: Dates in bold refer to the date of the Internet Archive page capture.*

- The “[Clean Water Rule](#)” page currently redirects to the “WOTUS” page, “www.epa.gov/wotus-rule” (**June 29, 2017**).
- The most recent version of the “Clean Water Rule” website from May 10, 2017 is mirrored almost entirely on the [EPA Web Archive](#).
- The “[Clean Water Rule](#)” main page linked to the following pages of the website as they appeared on **May 1-12, 2017** (*Note: the links below are to the Internet Archive snapshots of the corresponding pages*). Each of the following pages that are within the epa.gov domain currently either redirect to the “WOTUS” page, “<https://www.epa.gov/wotus-rule>” or to a “Not Found” page:
  - [Clean Water Rule: Streams and Wetlands Matter](#)

- The main page describes this page as: “Streams and wetlands form the foundation of our nation’s water resources. Clean water upstream means cleaner water flowing into rivers, lakes, bays, and coastal waters. [Learn more about why streams and wetlands matter.](#)”
- [What the Clean Water Rule Does](#)
  - The main page describes this page as: “The rule ensures that waters protected under the Clean Water Act are more precisely defined, more predictably determined, and easier for businesses and industry to understand. [Learn more about what the rule does.](#)”
- [What the Clean Water Rule Does Not Do](#)
  - The main page describes this page as: “The rule does not protect any new types of waters, regulate most ditches, apply to groundwater, create any new permitting requirements for agriculture, or address land use or private property rights. [Learn more about what the rule does not do.](#)”
- [Why Clean Water Rules](#) (under “Click to View an Infographic”)
- [Populations that Get Drinking Water from Streams](#) (*Note: the Internet Archive does not store the interactive features on this page, but the features are still accessible from the [EPA Web Archive.](#)*)
- [Slideshow About the Clean Water Rule](#)
- “Videos” Section (*Note: the Internet Archive was not used to store YouTube videos. The [EPA Web Archive version of the main page](#) links to YouTube directly, and these links are included below.*)
  - [Clear Protection for Clean Water](#)
  - [Clean Water is Ours to Protect](#)
- “Fact Sheets” Section (this content can also be found on the [“Clean Water Rule Factsheets” page](#))
  - [Rule Summary \(PDF\)](#)
  - [Fact Check \(PDF\)](#)
  - [Agriculture \(PDF\)](#)
  - [Business \(PDF\)](#)
  - [Communities \(PDF\)](#)
  - [Developers \(PDF\)](#)
  - [Local Government \(PDF\)](#)
  - [Recreation \(PDF\)](#)
  - [Utilities \(PDF\)](#)
- Side bar:
  - [Read the Executive Order](#)
  - [Read the Notice of Intention](#)
  - [Read the Letter to the Attorney General](#)
  - [Read about the Executive Order in Spanish](#)
  - [Access all documents](#)

# Clean Water Rule

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President Trump has issued an Executive Order directing the Administrator of the EPA and the Assistant Secretary of the Army for Civil Works to review the Clean Water Rule and publish for notice and comment a proposed rule rescinding or revising the rule, as appropriate and consistent with law. EPA and the Army intend to immediately implement the Executive Order and publish a Notice of Proposed Rulemaking to rescind or revise the rule.

- [Read the Executive Order](#)
- [Read the Notice of Intention](#)
- [Read the Letter to the Attorney General](#)
- [Read about the Executive Order in Spanish](#)
- [Access all documents](#)

## Streams and Wetlands Matter

Streams and wetlands form the foundation of our nation's water resources. Clean water upstream means cleaner water flowing into rivers, lakes, bays, and coastal waters. [Learn more about why streams and wetlands matter.](#)

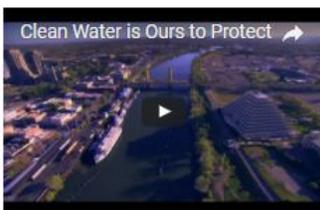
## What the Rule Does

The rule ensures that waters protected under the Clean Water Act are more precisely defined, more predictably determined, and easier for businesses and industry to understand. [Learn more about what the rule does.](#)

## What the Rule Does Not Do

The rule does not protect any new types of waters, regulate most ditches, apply to groundwater, create any new permitting requirements for agriculture, or address land use or private property rights. [Learn more about what the rule does not do.](#)

### Videos



### Click to View an Infographic



### Populations that get Drinking Water from Streams



### Fact Sheets

- [Rule Summary \(PDF\)](#)
- [Fact Check \(PDF\)](#)
- [Agriculture \(PDF\)](#)
- [Business \(PDF\)](#)
- [Communities \(PDF\)](#)
- [Developers \(PDF\)](#)
- [Local Government \(PDF\)](#)
- [Recreation \(PDF\)](#)
- [Utilities \(PDF\)](#)

### View a Slideshow About the Benefits of the Rule



[Contact Us](#) to ask a question, provide feedback, or report a problem.

Note: screenshot was taken from the [EPA Web Archive version of the "Clean Water Rule" page.](#)

## Internet Archive

Unlike other reports, all links to the Internet Archive can be found above in the Screenshot 1.1 section. To avoid confusion, these links have not been recopied here.

## EPA Web Archive Version of the “Clean Water Rule” Website

This section lists the corresponding links to pages on the “Clean Water Rule” (“/cleanwaterrule”) website, which are also linked from the main “Clean Water Rule” page, currently being hosted on the EPA Web Archive (<https://archive.epa.gov/>). According to source code on all of the following pages, the pages were mirrored on **May 10, 2017**. *(Note: none of the old URLs redirect to these archived pages, rendering them difficult to find and significantly reducing their accessibility.)*

### Archive of Page 1: [Clean Water Rule](#)

#### Archived pages linked from Page 1:

- [Clean Water Rule: Streams and Wetlands Matter](#)
- [What the Clean Water Rule Does](#)
- [What the Clean Water Rule Does Not Do](#)
- [Why Clean Water Rules](#)
- [Populations that Get Drinking Water from Streams](#)
- [Slideshow About the Clean Water Rule](#)
- “Fact Sheets” section
  - [Rule Summary \(PDF\)](#)
  - [Fact Check \(PDF\)](#)
  - [Agriculture \(PDF\)](#)
  - [Business \(PDF\)](#)
  - [Communities \(PDF\)](#)
  - [Developers \(PDF\)](#)
  - [Local Government \(PDF\)](#)
  - [Recreation \(PDF\)](#)
  - [Utilities \(PDF\)](#)
- Side bar:
  - [Read the Notice of Intention](#)
  - [Read the Letter to the Attorney General](#)
  - [Read about the Executive Order in Spanish](#) *(Note: In the EPA Web Archive, this links outside the Archive domain to a page which no longer exists.)*
  - [Access all documents](#)
    - *Note: multiple links on this page have URLs outside of the EPA Web Archive, meaning these pages will not be archived if the original page is altered. E.g.: <https://watersgeo.epa.gov/cwa/CWA-JDs/>; <https://cfpub.epa.gov/ncea/risk/recordisplay.cfm?deid=296414>; [https://yosemite.epa.gov/sab/sabproduct.nsf/0/518D4909D94CB6E585257D6300767DD6/\\$File/EPA-SAB-14-007+unsigned.pdf](https://yosemite.epa.gov/sab/sabproduct.nsf/0/518D4909D94CB6E585257D6300767DD6/$File/EPA-SAB-14-007+unsigned.pdf)*

## Page 2: Waters of the United States (WOTUS) Rulemaking

### Current Website

- URL: <https://www.epa.gov/wotus-rule>
- All pages on the “/cleanwaterrule” subdomain currently redirect to the URL “epa.gov/wotus-rule”
- Redirect began between **May 15, 2017 11:49 AM ET** and **May 16, 2017 3:38 AM ET**
- The EPA has no archived versions of this page (*Note: as this page is current and live, archived versions might not be expected*):
  - Corresponding EPA Web Archive mirror: none available (*Note: The corresponding mirror website page is not found: <https://archive.epa.gov/epa/wotus-rule.html>*)
  - Corresponding January 19 snapshot: none available (*Note: this website was created after January 19, 2017, so we would not expect a version to be stored here*)

### Screenshot 2.1

*Note: Dates in bold refer to the date of the Internet Archive page capture.*

- The “[Waters of the United States \(WOTUS\) Rulemaking](#)” main page links to the following pages of the website as they appeared on **June 29, 2017** (*Note: the links below are to the Internet Archive snapshots of the corresponding pages*):
  - [About Waters of the United States](#)
    - The main page describes this page as: “[Learn about the history and implementation of the definition of ‘waters of the United States.’](#)”
  - [Rulemaking Process](#)
    - The main page describes this page as: “[Learn more about this rulemaking.](#)”
  - [Frequently Asked Questions](#)
    - The main page describes this page as: “Learn more about the rulemaking process, waters of the United States, and other related topics through [Frequently Asked Questions.](#)”
  - “Recent News” section:
    - [Read the Press Release for the Step One Proposed Rule](#)
    - [Read the Executive Order](#)
    - [Read the Federal Register Notice of Intention](#)
    - [Read the Letter to the Attorney General](#)
    - [Read about “Waters of the U.S. Rulemaking” in Spanish](#)
- The “WOTUS” page was updated between **May 29, 2017 7:29 PM ET** and **May 30, 2017 7:08 PM ET** to include the link to the current Spanish language WOTUS rulemaking page. This replaced a prior dead link on the “WOTUS” page (e.g. [May 29, 2017](#)) to a URL for the previous Spanish language page about the [Executive Order](#)

to [evaluate the Clean Water Rule](https://www.epa.gov/wotus-rule), which was not itself live at least as of **May 15, 2017 7:51 PM ET**.<sup>2</sup> This dead link was thus present for at least 14 days.



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## Waters of the United States (WOTUS) Rulemaking

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### EPA and Army Move to Rescind 2015 "Waters of the U.S." Definition

The Environmental Protection Agency and Department of Army (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. [The pre-publication version of the proposed rule is available online.](#)

#### Recent News

- [Read the Press Release for the Step One Proposed Rule](#)
- [Read the Executive Order](#)
- [Read the Federal Register Notice of Intention](#)
- [Read the Letter to the Attorney General](#)
- [Read about "Waters of the U.S. Rulemaking" in Spanish](#)

### About Waters of the United States



[Learn about the history and implementation of the definition of "waters of the United States".](#)

### Rulemaking Process



[Learn more about this rulemaking.](#)

### Frequently Asked Questions



Learn more about the rulemaking process, waters of the United States, and other related topics through [Frequently Asked Questions](#).

[Contact Us](#) to ask a question, provide feedback, or report a problem.

### Internet Archive

Unlike other reports, all links to the Internet Archive can be found above in the Screenshot 2.1 section. To avoid confusion, these links have not been recopied here.

<sup>2</sup> All of the links on this replaced page direct to other pages that are currently live. The updated Spanish language site contains this information and more, reflecting the changes to the current English language version of the site.