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March 11, 2019

U.S. Environmental Protection Agency
EPA Docket Center
Office of Water Docket
Mail Code 28221T
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

**SENT VIA EMAIL (OW-Docket@epa.gov; wotus-outreach@epa.gov;
CWAwotus@epa.gov; gude.karen@epa.gov; kwok.rose@epa.gov)**

RE: Request for Extension of Comment Period: Docket ID No. EPA-HQ-OW-2018-0149 (Waters of the U.S. Proposal)

Dear Madam or Sir:

This letter is sent on behalf of the Tribal Caucus members of EPA Region 10's Tribal Operations Committee ("RTOC"). This letter is not sent on behalf of EPA Region 10 or any employees of EPA, but solely tribal government representatives of the RTOC. This letter seeks an extension of the comment period for Docket ID No. EPA-HQ-OW-2018-0149 (Waters of the U.S. Proposal).

EPA Region 10 includes Tribes across Alaska, Washington, Idaho, and Oregon. Clean water is essential to many Tribes, not just as a source of sustenance, but also for cultural, medicinal, and spiritual reasons. The ability of Tribes to control pollution and protect water quality is vital to the survival of Tribes. Almost no activity on the reservation has more potential for significantly affecting the economic and political integrity and the health and welfare of all reservation citizens than water use, quality, and regulation.

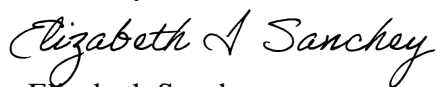
In the proposed WOTUS rule, the Environmental Protection Agency and the Army Corps of Engineers propose to rewrite the definition for Waters of the United States in a way that purportedly intends to "to strike a balance between Federal and State waters and would carry out Congress' overall objective to restore and maintain the integrity of the nation's waters in a manner that preserves the traditional sovereignty of States over their own land and water resources."

It is our understanding that a meeting in Seattle with Tribes was just recently scheduled just prior to the close of the comment period and a decision was made not to send formal invitations to tribal leaders to attend. We request that EPA immediately send formal invitations to tribal leaders to attend this meeting.

Moreover, as tribes across Region 10 prepare comments, adequate time will be required to thoughtfully evaluate the likely effect of the proposed rule, to assess potential intended and unintended consequences of the rule, how it may impact treaty rights, cultural resources, and other tribal resources, and other implementation concerns. Given the critical importance of the regulatory action the impacts associated with the federal government's prolonged shutdown that postponed several of the public hearings that were scheduled on the proposal, we respectfully submit that an additional 60 days should be added onto the existing 60-day comment period. Thorough deliberation is necessary so that tribes in Region 10 can provide EPA with helpful comments regarding this complicated issue, which will in turn contribute to an improved final rule.

The RTOC encourages EPA to expeditiously act to extend the comment period for this matter. We appreciate your consideration of these comments.

Sincerely,



Elizabeth Sanchey
Region 10 RTOC, Tribal Caucus Co-chair