



**EPA Region 10 Tribal Operations Committee (RTOC)**  
**P.O. Box 689**  
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December 12, 2025

Mr. Lee Zeldin, Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

**Submitted via email and to Docket ID No. EPA-HQ-OW-2025- 0322 via [regulations.gov](https://www.regulations.gov) and [OW-Docket@epa.gov](mailto:OW-Docket@epa.gov)**

**RE: Request for Extension of Comment Period on Updated Definition of “Waters of the United States”**

Dear Administrator Zeldin:

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 requests that the Environmental Protection Agency (“EPA”) extend the comment period for the proposed rule published November 20 in the Federal Register titled “Updated Definition of ‘Waters of the United States,’” 90 Fed. Reg. 52,498 (Nov. 20, 2025). Specifically, the Tribe requests a 30-day extension of the comment period.

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 has more potential for significantly affecting the economic and political integrity and the health and welfare of all Tribal citizens than water use, quality, and regulation.

If not extended, the comment period will end on January 5, 2026, and will encompass several holidays during which most Tribes will not have sufficient time to review or participate

meaningfully. Consulting with tribal governments is an important step in the process developing proposing regulations that may have tribal implications under the terms of Executive Order 13175, titled Consultation and Coordination with Indian Tribal Governments (65 Fed. Reg. 67249, November 9, 2000). The current deadline will not be time sufficient for EPA to engage with Tribe in government-to-government consultation to discuss the implications of this proposal to Tribes and their resources. An extension will help ensure Tribes can provide early, substantial, and meaningful input on this important issue.

This modest request for an extension is also reasonable given the importance of the proposal and requirements for meaningful public input. Executive Order 12,866 specifies that “each agency should afford the public a meaningful opportunity to comment on any proposed regulation, which in most cases should include a comment period of not less than 60 days.” 58 Fed. Reg. 51735 (Sept. 30, 1993). The Clean Water Act, itself, provides, “Public participation in the development, revision, and enforcement of any regulation, standard, effluent limitation, plan, or program established by the Administrator or any State under this Act shall be provided for, encouraged, and assisted by the Administrator and the States.” 33 U.S.C. § 1251(e).

A reasonable comment period is also necessary considering the substance of the proposed rule. EPA has proposed to dramatically reduce the number and extent of streams, wetlands, and other waters subject to the pollution prevention, control, and cleanup requirements of the Clean Water Act – a matter of major concern to Tribes that requires careful review, including review of EPA’s new legal interpretations and technical concepts.

The RTOC appreciates your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Raymond Paddock".

Raymond E. Paddock III  
Central Council of the Tlingit and Haida Indian Tribes of Alaska  
Region 10 Tribal RTOC Chair