



EPA Region 10 Tribal Operations Committee (RTOC)
P.O. Box 689
Spokane, Washington 99210
www.region10rtoc.net

October 19, 2026

Kenda Conley
Water Permits Division, Office of Water (7324G)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington D.C. 20460

RE: Comments on the Proposed Exclusion of Offshore Seafood Processing Vessels from Clean Water Act Discharge Permitting (Docket ID No. EPA-HQ-OW-2026-6965)

Dear Ms. Conley:

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 in response to the Proposed Exclusion of Offshore Seafood Processing Vessels from Clean Water Act Discharge Permitting.

The RTOC urges EPA to withdraw the proposal and continue requiring Clean Water Act discharge permits for mobile offshore seafood-processing vessels and floating facilities.

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.

The RTOC strongly believes that EPA must engage in consultation on a government-to-government basis with tribal governments to fully understand the impact of this proposal on tribal communities and tribal resources. Agency officials must meet face-to-face with tribal elected officials to comply with their obligations to consult. The process in promulgating this supplemental

notice failed to properly engage Tribes through government-to-government consultation, resulting in a proposal that will undermine Tribal efforts to ensure that their communities have clean water as intended in the Clean Water Act.

Moreover, EPA must base any new rule on sound science designed to achieve the congressional goals of the Clean Water Act – making waters fishable and swimmable. Politics and economics should not drive any changes to regulations governing the implementation of the Clean Water Act.

The proposal to exempt mobile offshore seafood-processing vessels and floating facilities operating more than three nautical miles offshore from Clean Water Act discharge permits would have damaging effects on the Eastern North Pacific waters and could have long-lasting impacts on Tribal communities in Alaska, Washington, and Oregon. The RTOC is also concerned that the proposal may allow exploratory mining/drilling vessels to be granted permit exemptions.

The proposal would end specific pollution controls, wildlife protections, monitoring, public reporting, and federal oversight for industrial vessels in Alaska, Washington, and Oregon. Most of the vessels that would be exempted are factory trawlers, catcher-processors, and motherships, mostly in Alaska, that discharge water pollutants as well as seafood-processing waste into the ocean. In addition to discharging water pollution, these vessels discharge fish heads, guts, blood, slime, scales, trimmings, unusable seafood, incidental catch, washdown water, and other processing wastewater.

Vessels currently must follow effluent limits, grind processing waste, and monitor and report what they discharge and where. EPA has long recognized the risks of this waste stream. In 2013, EPA documented seafood processing waste piles near shore-based plants covering tens of acres of seafloor and growing many feet thick, smothering bottom-dwelling life and depleting oxygen, with effects that can persist for a decade or more. EPA has applied these effluent controls to floating processors since the mid-1980s. The current offshore permit requires only sea surface monitoring, so the cumulative effects of offshore discharges on the seafloor remain unstudied. The proposal would remove these baseline safeguards.

The Alaska permit prohibits processing-waste discharges near national parks, wildlife refuges, wilderness areas, state protected areas, Steller sea lion rookeries and major haulouts, and designated eider critical habitat. It also prohibits discharges over kelp, eelgrass, and other living substrates and in certain shallow or poorly flushed waters. Mobile processors beyond three nautical miles would no longer be bound by these permit conditions.

The Northern Pacific—including the Bering Sea and Gulf of Alaska, where most of the currently regulated vessels operate—is changing rapidly as waters warm and important fish and wildlife populations decline. Nearly 100 Alaska Native communities currently face salmon closures, while small-boat, subsistence and recreational fishermen have seen reduced limits and shorter seasons. Removing oversight from large industrial processors would add risk to waters and communities already under pressure. EPA has not shown that equivalent and enforceable protections would remain if these vessels were removed from the Clean Water Act permitting program.

The RTOC urges EPA to reconsider this proposal and to continue requiring Clean Water Act discharge permits for mobile offshore seafood-processing vessels and floating facilities.

The RTOC appreciates your consideration of these comments and specifically requests that EPA provide an update on this proposal at one of its meetings.

Sincerely,

Raymond Paddock

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