



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 08 2019

THE ADMINISTRATOR

The Honorable Kay Ivey
Governor of Alabama
State Capitol
600 Dexter Avenue
Montgomery, Alabama 36130-2751

Dear Governor Ivey,

The Environmental Protection Agency is writing to invite you and your staff to engage with the agency regarding the proposed rule "Updating Regulations on Water Quality Certification," signed on August 8, 2019.

The proposed rule is intended to modernize the EPA's regulations on water quality certification and make them consistent with the current text and structure of the Clean Water Act (CWA). The proposed rule also provides additional regulatory procedures that the agency believes will promote consistent implementation of section 401 and streamline the federal licensing and permitting process, consistent with the objectives of Executive Order 13868 "Promoting Energy Infrastructure and Economic Growth".

A pre-publication version of the Federal Register notice and a fact sheet are available at: <https://www.epa.gov/cwa-401>. There will be a 60-day public comment period once the regulation is published.

As part of our ongoing outreach to state officials for this proposed rule, the agency is hosting a discussion session with state officials during the public comment period. The focus of the discussion session will be to hear your state's input on the proposed regulation. Your input during this process is important to us.

The agency will be hosting a half-day discussion forum in Salt Lake City, Utah, on September 5, 2019. State officials who would like to attend this meeting should send an email to cwa401@epa.gov and the agency will respond with meeting details and registration information. The state meeting will coincide with a similar meeting for tribal representatives. In addition, the agency has scheduled a public informational webcast on August 20, 2019, and a public hearing on the proposed rule in Salt Lake City, Utah (coinciding with the tribal and state discussion forums), with sessions on September 5 and 6, 2019. State representatives are welcome and encouraged to attend these public events.

In addition to the half-day discussion with state officials, the EPA plans to seek additional opportunities to engage with you directly, as well as your state agencies.

Please do not hesitate to contact me if you have any questions or would like to discuss this proposal directly. Your staff may contact Britt Carter, EPA's Director of Intergovernmental Relations, at 202-564-6312 or carter.brittany@epa.gov. We look forward to your input and engagement on this important rulemaking.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Wheeler", with a long horizontal flourish extending to the right.

Andrew R. Wheeler