



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

August 8, 2019

THE ADMINISTRATOR

Dear Honorable Leader:

The U.S. 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*. 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 tribal outreach on this proposed rule, the agency is hosting a discussion session with co-regulators during the public comment period. The focus of the discussion session will be to hear your 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 4, 2019. Tribal representatives 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 tribal meeting will coincide with a similar meeting for state 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. Tribal representatives are welcome and encouraged to attend these public events.

Additionally, now that the proposed rule has been signed, we are continuing to consult with individual tribes, upon request and as time and resources permit. If you are interested in requesting consultation with the agency on the proposed rule, please contact Lauren Kasparek at cwa401@epa.gov to make arrangements before the end of the 60-day public comment period.

If you or your designee have further questions, please contact Lauren Kasparek at (202) 564-3351 or kasparek.lauren@epa.gov. We look forward to your input and engagement on this important rulemaking.

Sincerely,



Andrew R. Wheeler