ALABAMA RIVERS ALLIANCE * ALAMOSA RIVERKEEPER * ALASKA COMMUNITY ACTION ON TOXICS * ALASKA ENVIRONMENT * ALASKA WILDERNESS LEAGUE * ALASKA WILDLIFE ALLIANCE * ALASKANS TAKE A STAND * AMERICAN BIRD CONSERVANCY * AMIGOS DE BOLSA CHICA * ANTHROPOCENE ALLIANCE *
AQUASHICOLA/POHOPOCO WATERSHED CONSERVANCY * ASSOCIATION OF NORTHWEST STEELHEADERS *
ATCHAFLALAYA BASINKEEPER * BACKCOUNTRY HUNTERS AND ANGLERS * BAYOU CITY WATERKEEPER * BLACK HILLS CLEAN WATER ALLIANCE * BLACK WARRIOR RIVERKEEPER * BOZEMAN BIRDER * BRISTOL BAY HERITAGE LAND TRUST * BROOKS RANGE COUNCIL * CENTER FOR BIOLOGICAL DIVERSITY * CENTER FOR ENVIRONMENTAL LAW & POLICY * CITIZENS AGAINST WIDENING THE INDUSTRIAL CANAL * CITIZENS COMMITTEE TO COMPLETE THE REFUGE * COLLIER COUNTY WATERKEEPER * COLUMBIA RIVER CRAB FISHERMAN'S ASSOCIATION *
COMMERCIAL FISHERMEN FOR BRISTOL BAY * COMMITTEE ON THE MIDDLE FORK VERMILION RIVER * COOK INLETKEEPER * CREATION JUSTICE MINISTRIES * DEFENDERS OF WILDLIFE * DESCHUTES ESTUARY RESTORATION TEAM * DON'T GAS THE MEADOWLANDS COALITION * EARTH ETHICS, INC. * EARTHJUSTICE * EARTHWORKS *
ENDANGERED HABITATS LEAGUE * ENVIRONMENT AMERICA * ENVIRONMENTAL INVESTIGATION AGENCY (US) *
ENVIRONMENTAL PROTECTION INFORMATION CENTER * FAIRBANKS CLIMATE ACTION COALITION * FLORIDA WILDLIFE FEDERATION * FLY FISHERS INTERNATIONAL * FRIENDS OF BLACKWATER, INC. * FRIENDS OF MCNEIL RIVER * FRIENDS OF THE EART *
FRIENDS OF THE RIVERS OF VIRGINIA * GLEN ELYN SUSTAINABILITY * GREAT EGG HARBOR WATERSHED ASSOCIATION * GREENPEACE USA * HEALTHY OCEAN COALITION * HOWLING FOR WOLVES * HUDSON RIVERKEEPER * IDAHO RIVERS UNITED * ILLINOIS COUNCIL OF TROUT UNLIMITED * INLAND OCEAN COALITION * KANSAS CITY ZOO * KENTUCKY WATERWAYS ALLIANCE * KLASHEF FOREST ALLIANCE *
LEVEES.ORG * LAKE ERIE WATERKEEPER * LEAD AGENCY, INC. * LEAGUE OF CONSERVATION VOTERS * MALACHI *
CONSULTING * MARINE CONSERVATION INSTITUTE * MILL CREEK ALLIANCE * MISSION BLUE * MISSOURI CONFLUENCE WATERKEEPER * MI DIVISION – IZAAK WALTON LEAGUE OF AMERICA * MONTEREY BAY AQUARIUM *
* MULTICULTURAL ALLIANCE FOR A SAFE ENVIRONMENT * MYSTIC AQUARIUM * NATIONAL AQUARIUM *
* NATIONAL MUSEUM OF NATURAL HISTORY * NATIONAL OCEAN PROTECTION COALITION * NATIONAL PARKS *
CONSERVATION ASSOCIATION * NATURAL WILDLIFE FEDERATION * NATIVE AMERICAN RIGHTS FUND *
* NATURAL HERITAGE INSTITUTE * NATURAL RESOURCES DEFENSE COUNCIL * NEBRASKA WILDLIFE FEDERATION *
* NORTHEASTERN MINNESOTANS FOR WILDERNESS * NYC H2O * OCEANA * OKANOGAN HIGHLANDS ALLIANCE *
* PATAGONIA * PENNSYLVANIA COUNCIL OF CHURCHES * POTOMAC RIVERKEEPER NETWORK * PROGRESSIVE LEADERSHIP ALLIANCE OF NEVADA * RESTORE AMERICA'S ESTUARIES * RIVERKEEPER * ROUGE RIVERKEEPER *
* SACRAMENTO RIVER COUNCIL * SALMON STATE * SATILLA RIVERKEEPER * SAVE OUR WILD SALMON COALITION *
* SAVE THE SCENIC SANTA RITAS * SAVE THE SOUND * SEATTLE AQUARIUM * SENECALAKE GUARDIAN * SEVERN *
RIVERKEEPER PROGRAM * SIERRA CLUB * SILVER VALLEY COMMUNITY RESOURCE CENTER * SOUTH YUCA RIVER *
CITIZENS LEAGUE * STAND UP ALASKA * SPOKANE RIVERKEEPER * TENNESSEE RIVERKEEPER * THE ALASKA *
CENTER * THE CONSERVATION FUND * THE NATURE CONSERVANCY * THE OCEAN PROJECT * THE WILDERNESS *
SOCIETY * WATAUGA RIVERKEEPER * WATER-CULTURE INSTITUTE * WATERKEEPER ALLIANCE * WATERKEEPERS *
CHESAPEAKE * WATERWAY ADVOCATES * WILD SALMON CENTER * WILL DILG CHAPTER, IZAAK WALTON LEAGUE *
OF AMERICA * WINYAH RIVERS ALLIANCE * WORLD WILDLIFE FUND * YELLOW DOG WATERSHED PRESERVE

August 30, 2022

Via Regulations.gov

Michael S. Regan, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20004

Casey Sixkiller, Regional Administrator, Region 10
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 155
Seattle, WA 98101


Dear Administrator Regan and Regional Administrator Sixkiller:

On behalf of the 122 undersigned organizations, representing tens of millions of members and supporters from across the country, we write to commend the U.S. Environmental Protection Agency (EPA) for issuing the Proposed Determination for the Pebble Deposit Area under Section 404(c) of the Clean Water
Act¹ that, if finalized, would prohibit the Pebble Mine and restrict future mining of the Pebble deposit.²

We urge EPA to promptly issue a Final Determination that not only prohibits or restricts past, current, and future plans for the Pebble deposit but also protects Bristol Bay’s headwaters from large-scale porphyry ore mining like that proposed for the Pebble deposit. We support EPA in completing the 404(c) process as swiftly as possible and call on the agency to finalize comprehensive protections by the end of 2022.

Our comments support and amplify requests from United Tribes of Bristol Bay (UTBB), Bristol Bay Native Association (BBNA), Bristol Bay Native Corporation (BBNC), Bristol Bay Economic Development Corporation (BBEDC), and Commercial Fishermen for Bristol Bay (CFBB) urging EPA to finalize strong and durable protections for Bristol Bay this year.³ We join the economic, cultural, and social leaders of Bristol Bay calling on EPA to issue a Final Determination that provides comprehensive protections for Bristol Bay and the people who depend on it:

[O]ur region couldn't be more united in our call on the EPA that the 404c protections must provide true protections to the headwaters, not just limitations based on past mine plans. …The Tribes have asked for prohibitions of this type of development in the headwaters since they petitioned the EPA back in 2010. And we have not changed that ask over the last 12 years…[W]e encourage the EPA to think more holistically about the headwaters area.⁴

The people of Bristol Bay have been seeking these protections for more than two decades and while this is an important step we need comprehensive protections so that future generations are not left with this threat.⁵

More than 78 million salmon returned to Bristol Bay this summer,⁶ shattering last year’s record of 67 million. Integral to this extraordinary run is the environmental sustainability of the region, something the science unequivocally confirms that the proposed Pebble Mine—and indeed all large-scale porphyry ore mining in Bristol Bay—would jeopardize.

Bristol Bay is home to the world’s largest wild sockeye salmon fishery, generating $2.2 billion annually, supporting 15,000 American jobs, supplying 57 percent of the world’s wild sockeye salmon, and sustaining Indigenous communities since time immemorial.⁷ As they have for millennia, the wild salmon returning each year to Bristol Bay ensure a way of life for Alaska Native communities, providing subsistence food, subsistence-based livelihoods, and the lifeblood of culture.

¹ 33 U.S.C. § 1344(c).
³ BBEDC, BBNA, BBNC, CFBB, and UTBB Press Release, Bristol Bay Leaders call on EPA to finalize comprehensive protections this year (June 1, 2022), https://www.utbb.org/press-releases.
⁴ Statement by Alannah Hurley, UTBB Executive Director, Bristol Bay Leaders call on EPA to finalize comprehensive protections this year (June 1, 2022), https://www.utbb.org/press-releases.
⁵ Statement by Gayla Hoseth, BBNA Natural Resources Director, Bristol Bay Leaders call on EPA to finalize comprehensive protections this year (June 1, 2022), https://www.utbb.org/press-releases.
Yet the Pebble Mine would risk it all. If fully developed, the Pebble Mine would generate up to 10 billion tons of toxic mining waste. As proposed in the Pebble Limited Partnership’s (PLP) 2020 mine plan, the 20-year mine would destroy approximately 100 miles of streams and 2,100 acres of wetlands, completely decimating areas critical to Bristol Bay’s salmon fishery.\(^8\) There is no question that the Pebble Mine would result in “unacceptable adverse effects” to fishery areas, recreational areas, and wildlife, satisfying the statutory trigger to invoke Section 404(c) of the Clean Water Act.

But the 20-year mine plan proposed in 2020 does not represent PLP’s true intentions. Undercover videotapes of PLP and parent company Northern Dynasty Minerals top executives confirmed Pebble’s real plan: to exponentially expand mining operations for the next 180 to 200 years.\(^9\)

The indisputable facts, clear science, and extensive administrative record overwhelmingly support a final 404(c) determination that protects Bristol Bay’s headwaters from not only the mine plan proposed by PLP in 2020, but any future large-scale porphyry ore mining proposed for the Pebble deposit.

Our groups stand by to support final agency action that ensures the people of Bristol Bay can end the year with strong, durable, and comprehensive 404(c) Clean Water Act protections in place.

Sincerely,

Jack West, Policy and Advocacy Director
Alabama Rivers Alliance

Cindy Medina, Alamosa Riverkeeper
Alamosa Riverkeeper

Pamela Miller, Executive Director
Alaska Community Action on Toxics

Dyani Chapman, State Director
Alaska Environment

Andy Moderow, State Director
Alaska Wilderness League

Nicole Schmitt, Executive Director
Alaska Wildlife Alliance

Erin Jackson-Hill, President
Alaskans Take a Stand

Steve Holmer, Vice President of Policy
American Bird Conservancy


Thomas Anderson, Administrative Director
Amigos de Bolsa Chica

Harriet Festing, Executive Director
Anthropocene Alliance

Carolyn Lange, Secretary
Aquashicola/Pohopoco Watershed Conservancy

Tamsin Fleming, Operations Manager
Association of Northwest Steelheaders

Dean Wilson, Executive Director
Atchafalaya Basinkeeper

Jacob Mannix, Alaska Chapter Coordinator
Backcountry Hunters and Anglers

Kristen Schlemmer, Legal Director and Waterkeeper
Bayou City Waterkeeper

Lilias Jarding, Ph.D., Executive Director
Black Hills Clean Water Alliance

Charles Scribner, Executive Director
Black Warrior Riverkeeper

Anne Millbrooke, Volunteer
Bozeman Birders

Tim Troll, Executive Director
Bristol Bay Heritage Land Trust

John Gaedeke, Chairman
Brooks Range Council

Marc Fink, Public Lands Legal Director, Senior Attorney
Center for Biological Diversity

Trish Rolfe, Executive Director
Center for Environmental Law & Policy

John Koeferl
Citizens Against Widening the Industrial Canal

Carin High, Co-Chair
Citizens Committee to Complete the Refuge
Harrison Langley, Executive Director
Collier County Waterkeeper

Dale Beasley, President
Columbia River Crab Fisherman's Association

Katherine Carscallen, Executive Director
Commercial Fishermen for Bristol Bay

Clark Bullard, President
Committee on the Middle Fork Vermilion River

Liz Mering, Advocacy Director
Cook Inletkeeper

Helen Smith, Ocean Climate Action Associate
Creation Justice Ministries

Nicole Whittington-Evans, Alaska Program Director
Defenders of Wildlife

Paige Anderson, Executive Director
Deschutes Estuary Restoration Team

Ken Dolsky, Co-Leader
Don't Gas the Meadowlands Coalition

Mary Gutierrez, Director
Earth Ethics, Inc.

Blaine Miller-Mcfeeley, Senior Legislative Representative
Earthjustice

Bonnie Gestring, Northwest Program Director
Earthworks

Dan Silver, Executive Director
Endangered Habitats League

Ellen Montgomery, Public Lands Campaign Director
Environment America

Danielle Grabiel, Counsel & Wildlife Team Lead
Environmental Investigation Agency (US)
Thomas Wheeler, Executive Director
Environmental Protection Information Center

Arleigh Hitchcock, Keep It In The Ground (KING!) Organizer
Fairbanks Climate Action Coalition

Preston T. Robertson, President and CEO
Florida Wildlife Federation

Tom Logan, Chairman, Fly Fishers International Conservation Committee
Fly Fishers International

Judith Rodd, Director
Friends of Blackwater, Inc.

Drew Hamilton, President of the Board
Friends of McNeil River

Marcie Keever, Oceans & Vessels Program Director
Friends of the Earth

Bill Tanger, Chair
Friends of the Rivers of Virginia

Jeff Gahris, Organizer
Glen Ellyn Sustainability

Fred Akers, Administrator
Great Egg Harbor Watershed Association

John Hocevar, Oceans Campaign Director
Greenpeace USA

Sarah Winter Whelan, Executive Director
Healthy Ocean Coalition

Maureen Hackett, Founder and President
Howling For Wolves

George Jackman, Senior Habitat Restoration Manager
Hudson Riverkeeper

Nic Nelson, Executive Director
Idaho Rivers United

Edward L Michael, Chair, Government Affairs
Illinois Council of Trout Unlimited
Lance Kittel, Executive Director
Inland Ocean Coalition

Stacia Pieroni, Conservation Manager
Kansas City Zoo

Ward G Wilson, Executive Director
Kentucky Waterways Alliance

Kimberly Baker, Executive Director
Klamath Forest Alliance

Sandy Rosenthal, Founder
Levees.org

Sandy Bihn, Executive Director
Lake Erie Waterkeeper

Earl Hatley, President
LEAD Agency, Inc.

Madeleine Foote, Deputy Legislative Director
League of Conservation Voters

Steven Emerman, Owner
Malach Consulting

Michael Gravitz, Director of Policy and Legislation
Marine Conservation Institute

David Schmitt, Executive Director
Mill Creek Alliance

Shannon Rake, Hope Spots Program Manager
Mission Blue

Rachel Bartels, Waterkeeper
Missouri Confluence Waterkeeper

Craig Sterle, MN Division Past President
MN Division - Izaak Walton League of America

Eleanore Humphries, Senior Manager, Federal Ocean Conservation Policy
Monterey Bay Aquarium
Susan Gordon, Coordinator
Multicultural Alliance for a Safe Environment

Katie Cubina, Sr. V.P of Mission Programs
Mystic Aquarium

Jennifer Driban, Chief Mission Officer
National Aquarium

Kurt Strand, President and CEO
National Mississippi River Museum & Aquarium

Amy Kenney, Executive Director
National Ocean Protection Coalition

Jim Adams, Alaska Regional Director
National Parks Conservation Association

Melissa Samet, Senior Water Resources Counsel
National Wildlife Federation

John E. Echohawk, Executive Director
Native American Rights Fund

Gerald H. Meral, Ph.D., Director, California Water Program
Natural Heritage Institute

Taryn Kiekow Heimer, Senior Advocate & Deputy Director of Marine Mammal Protection
Natural Resources Defense Council

Mike Coe, President
Nebraska Wildlife Federation

Matt Norton, Policy Director
Northeastern Minnesotans for Wilderness

Matt Malina, Director & Founder
NYC H2O

Susan Murray, Deputy Vice President, US Pacific
Oceana

Sarah Kliegman, co-Executive Director
Okanogan Highlands Alliance

Meghan Wolf, Environmental Activism Manager
Patagonia
Rev. Sandra L. Strauss, Director of Advocacy & Ecumenical Outreach
Pennsylvania Council of Churches

Nancy Stoner, President
Potomac Riverkeeper Network

Sarah Wochele, Mining Justice Organizer
Progressive Leadership Alliance of Nevada

Daniel Hayden, President & CEO
Restore America's Estuaries

George Jackman, Senior Habitat Restoration Manager
Riverkeeper

Emily Bowes, Conservation Director
Rogue Riverkeeper

Trygve Sletteland, Founder
Sacramento River Council

Tim Bristol, Executive Director
SalmonState

Chris Bertrand, Riverkeeper and Executive Director
Satilla Riverkeeper

Joseph Bogaard, Executive Director
Save Our Wild Salmon Coalition

Stu Williams, Executive Director
Save The Scenic Santa Ritas

Bill Lucey, Long Island Soundkeeper
Save The Sound

Nora Nickum, Senior Ocean Policy Manager
Seattle Aquarium

Yvonne Taylor, Vice President
Seneca Lake Guardian

Fred Kelly, Executive Director
Severn Riverkeeper Program
Peter Morgan, Senior Attorney
Sierra Club

Barbara Miller, Director
Silver Valley Community Resource Center

Melinda Booth, Executive Director
South Yuba River Citizens League

Erin Jackson, Board President
Stand Up Alaska (S'Up AK)

John S. Quarterman, Suwannee Riverkeeper
Suwannee Riverkeeper

David Whiteside, Executive Director
Tennessee Riverkeeper

Leah Moss, Communications and Creative Director
The Alaska Center

Lawrence A. Selzer, President & CEO
The Conservation Fund

Kelsey Schober, Senior Policy Advisor – Alaska
The Nature Conservancy

Bill Mott, Exec Director
The Ocean Project

Karlin Itchoak, Alaska State Director
The Wilderness Society

Andy Hill, Watauga Riverkeeper
Watauga Riverkeeper

David Groenfeldt, Director
Water-Culture Institute

Bart Mihailovich, Organizing Director
Waterkeeper Alliance

Robin Broder, Deputy Director
Waterkeepers Chesapeake

Caleb Merendino, Co-Executive Director
Waterway Advocates
Emily Anderson, Alaska Director
Wild Salmon Center

Barry Drazkowski, President
Will Dilg Chapter, Izaak Walton League of America

Debra Buffkin, Executive Director
Winyah Rivers Alliance

Rose Luttenberger, Senior Policy Advocate
World Wildlife Fund

Chauncey J. Moran, Board Chairman
Yellow Dog Watershed Preserve