

From: Benjamin.Benoit@llojibwe.org
To: [Gude, Karen](#)
Cc: [CWAwotus](#); Eric.Krumm@llojibwe.org; JeffH@lldrm.org
Subject: RE: Follow-up information regarding EPA and Army's proposed WOTUS Rule
Date: Thursday, March 14, 2019 9:53:41 AM

Hello Karen,

Thank you for the follow up. I have talked over a consultation meeting with my water staff and we are interested in having a consultation call in the march regarding our questions and concerns with the Water of the US rulemaking. If you can look over your staff's calendar we can hopefully get something scheduled this month.

Ben

From: Gude, Karen <Gude.Karen@epa.gov>
Sent: Thursday, February 28, 2019 3:41 PM
To: Benjamin Benoit <Benjamin.Benoit@llojibwe.org>
Cc: CWAwotus <CWAwotus@epa.gov>
Subject: Follow-up information regarding EPA and Army's proposed WOTUS Rule

Ben,

Hi. It was a pleasure meeting you yesterday. Thanks so much to you, Chairman Jackson, and the Leech Lake delegation for traveling to DC to meet with us. During the meeting, you had expressed interest in looking into whether the tribe may wish to consult with the EPA and Army on the current proposed rule "Revised Definition of Waters of the United States." The agencies are continuing to consult with individual tribes. If your tribe would be interested in requesting consultation, please feel free to reach out to me directly. We are asking tribes to make arrangements for consultation before the end of the 60-day public comment period on April 15, 2019.

Additionally, the EPA and Army have scheduled several half-day in-person discussion forums with tribes to gain tribal input on the proposed definition and to discuss implementation considerations. Upcoming forums are planned for Atlanta and Albuquerque, and the agencies are considering adding an additional forum in the Pacific Northwest. I don't know that any of these locations are particularly convenient for your tribe, but I would be happy to provide additional information, if there is interest.

Below is a summary of outreach and engagement opportunities for the WOTUS step 2 proposed rule, with links to additional information. If you should have any questions or concerns, or if I can be of assistance in any way, please let me know.

Summary of Outreach and Engagement Opportunities:

On December 11, 2018, the EPA and the Department of the Army (the agencies) signed the proposed "Revised Definition of 'Waters of the United States'" rule. A copy of the proposed

rule is available on the Federal Register website at:

<https://www.federalregister.gov/documents/2019/02/14/2019-00791/revised-definition-of-waters-of-the-united-states>. Additional information and documents relating to the proposed rule are available at: <https://www.epa.gov/wotus-rule/step-two-revise>. **The 60-day public comment period for the proposed rule is scheduled to close on April 15, 2019.** Written comments can be submitted via the public docket, identified by Docket ID No. EPA-HQ-OW-2018-0149, to the Federal eRulemaking Portal: <https://www.regulations.gov>.

The agencies are providing the following opportunities for tribes to engage with the agencies regarding the proposed rule for the revised definition of “waters of the United States.” For additional background on the WOTUS rulemakings, please visit: <https://www.epa.gov/wotus-rule>.

- **In-Person Discussion Forums for Tribal Representatives:** As part of our ongoing tribal outreach on this proposed revised definition of “waters of the United States,” the agencies are hosting discussion sessions with co-regulators during the public comment period. The focus of the discussion sessions will be to hear your input on the proposed definition and discuss implementation considerations. The EPA and Army are hosting a half-day discussion forum for tribal representatives at the following locations, and are considering adding an additional forum in the Pacific Northwest:
 - Kansas City, Kansas on February 27, 2019;
 - Atlanta, Georgia on March 12, 2019; and
 - Albuquerque, New Mexico on March 27, 2019.

Representatives of federally recognized tribes that are interested in attending one of the discussion forums should send an email indicating their interest to wotus-outreach@epa.gov, and the agencies will respond with meeting details and registration information. The meetings with tribal representatives will coincide with similar meetings with states.

- **Public Informational Webcast on February 14:** The EPA and the Army held a public webcast to explain the key elements of the proposed rule “Revised Definition of Waters of the United States” **on February 14, 2019.** A copy of the entire webcast is available on EPA’s website at: <https://www.epa.gov/wotus-rule/step-two-revise>.
- **Public Hearing in Kansas City, Kansas on February 27 and 28:** The EPA and the Army also held a public hearing on the proposed new “Waters of the United States” definition in Kansas City with sessions on Wednesday, February 27 and Thursday, 28, 2019, at the **Wyandotte Ballroom of the Reardon Convention Center, 520 Minnesota Avenue, Kansas City, Kansas 66101.** For more information, please visit: <https://www.epa.gov/wotus-rule/proposed-revised-definition-wotus-public-hearing>.

Additionally, now that the proposed rule has been signed, the EPA and Army are continuing to consult with individual tribes. If a tribe is interested in requesting consultation with the agencies on the proposed rule, please contact the agencies at cwawotus@epa.gov to make arrangements before the end of the 60-day public comment period on April 15, 2019. If you have further questions, please feel free to contact Rose Kwok at (202) 566-0657 or kwok.rose@epa.gov or Cindy Barger at (202) 761-0038 or cindy.s.barger.civ@mail.mil.

Sincerely,

Karen Gude
Tribal Program Coordinator
U.S. EPA/Office of Water
Phone: (202) 564-0831