



IRA Council
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April 17, 2019

U.S. Environmental Protection Agency
E-mail: wotus-outreach@epa.gov; cwawotus@epa.gov

Re: Government-to-Government Consultation, WOTUS RULE

Dear Ms. Million:

Pursuant to the *EPA Policy on Consultation and Coordination with Indian Tribes*, Presidential Executive Order 13175 and the Federal Trust Responsibility, the Native Village of Shaktoolik which is Federally recognized Indian Alaska tribal entity, requests that the Environmental Protection Agency initiate a government-to-government consultation process with respect to developing a revised definition of "waters of the United States."

As you know, federally recognized tribes have a unique relationship with the government of the United States stemming from provisions of the U.S. Constitution, treaties, statutes, court decisions, and executive orders. One fundamental principle of this relationship is that the federal government must respect the rights of sovereign tribal governments by consulting with them before taking actions that affect them. All such consultations must be open and candid so that all interested parties may evaluate for themselves the potential impact of relevant proposals.

The Tribe is a sovereign, federally recognized tribe located in the Bering Sea region of Alaska. The Tribe is responsible for the protection of tribal culture, assets, rights, setting of tribal priorities, and to develop and manage tribal resources. The Tribe has a strong interest in any proposed management proposals and activity within its traditional lands due to the potential impacts on tribal members. Specifically, the Tribe is concerned the proposed rule would significantly weaken the WOTUS protections in favor of less restrictions on the extraction industry.

We request that the government-to-government consultation process begin in the spring of 2019. This will afford us the opportunity to timely review relevant information and have a seat at the table when important management decisions are made. We request that the government-to-government consultation be a formal meeting specifically set up for this purpose, and not a public meeting. Further, we request that, in addition to [name of agency rep], the government-to-government consultation process include [name of agency reps], so that the leaders of your agency can meet with our leaders, the Chief, and members of the tribal council. We ask that this consultation process continue throughout the

decision-making process leading up to a decision on the proposed final rule, and that it include regular meetings between the Tribe.

We look forward to meeting with you and engaging in the government-to-government consultation process in the very near future.

Sincerely,

A handwritten signature in blue ink that reads "Agnes Takak". The signature is written in a cursive style and is positioned above a horizontal line.

Agnes Takak; Council Member