



PUEBLO OF SANTA ANA

OFFICE OF THE GOVERNOR

04 October 2021

RE: Revised Definition of Waters of the United States Proposed Rule

To whom it may concern:

The Pueblo of Santa Ana (the “Pueblo”) would like to thank Environmental Protection Agency and Army Corps of Engineers (the “agencies”) for meeting with the Pueblo on September 28th, 2021, to present the revision status of the Waters of the United States (WOTUS) rule.

Trust resources within the Pueblo’s boundaries affected by the proposed revisions include the following:

- Approximately 1000 acres of wetlands
- 294 miles of intermittent or ephemeral streams

Newly acquired lands not yet in Trust affected by the proposed revisions include the following:

- Approximately 100 acres of wetlands
- 265 miles of intermittent or ephemeral streams

The following are Pueblo’s comments based on the referenced meeting and our understanding of the status of the WOTUS.

- The Pueblo supports the agencies commitment to better protect our nation’s vital tribal water resources that support traditional cultural activities, public health, environmental protection, agricultural activity, and economic growth.
- The Pueblo supports the agencies current interpretation of WOTUS that is consistent with the pre-2105 regulatory regime until further notice.
- The Pueblo supports a forthcoming WOTUS rule restoring the definitions of “Waters of the United States” in place for decades prior to 2015 and updated to be consistent with relevant Supreme Court decisions to include the development of a durable definition of “Waters of the United States”.

Sincerely,

Pueblo of Santa Ana
Ulysses Leon, Governor

Cc: Andrew Sweetman, Water Resources Division Manager
Tammy Montoya, Hydrologist

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