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April 19, 2018

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The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

Dear Administrator Pruitt,

While we appreciate the many actions you've taken to date, we call upon you to direct the U.S. Environmental Protection Agency (EPA) to withdraw the 'Proposed Determination Pursuant to Section 404c of the Clean Water Act for Pebble Deposit Area, Southwest Alaska' (AKA the Obama proposed pre-permit veto) to remedy the Agency's prior overreach and bad public policy.

The Obama 404c proposed pre-permit veto action utilized a blunt instrument of federal overreach in an attempt to block projects before they could go through the well-established federal permitting process. While the Corps of Engineers is now moving forward on its NEPA review of the Pebble permit, we believe that the EPA should never attempt to use this provision and it needs to be eliminated, which the Trump infrastructure plan proposes. The normal permitting process should be applied to all, including allowing Pebble to continue without the proposed veto continuing to hang over its head. Further, the Obama EPA pre-permit proposed veto on the Pebble Deposit area was based on incomplete, shoddy analysis and agency staff collusion with liberal environmental activists and other project opponents.

The impact of this issue is far greater than just one mine. A pre-permit 404c veto eliminates due process and the well-established, transparent regulatory process for Clean Water Act permits. By proposing to rescind the Obama 404c Proposed Determination on mining in Alaska and then suspending that action, you have affirmatively let the proposed pre-permit veto stand. This gives the environmental left a new tool to eliminate projects they don't like under liberal administrations, and we all know that future EPA administrators will then point to you as a justification for them to use it again.

Further, we welcome the Trump Administration's call to cut federal red tape in the infrastructure plan, including cutting back EPA's 404c veto authority to

First Things First Alaska Foundation (FTFAF) is dedicated to preserving the economic viability and future of Alaska through education. There is a clear need to educate the public on the benefits of responsible economic development and natural resource management.

The Honorable Scott Pruitt
April 19, 2018
Page 2 of 2

address the burden of duplicative regulatory approval for dredge and fill permits.

Again, we appreciate your leadership on reducing the burdensome EPA regulations implemented by the Obama EPA and the stranglehold those regulations place on the United States of America. However, we are disappointed with your action on this issue and urge you to complete the withdrawal of the 404c 'Proposed Determination' as soon as possible. Withdrawing it simply confirms your often-stated commitment to the rule of law and regular order in such proceedings.

Sincerely

A handwritten signature in black ink, appearing to read "Neil MacKinnon", followed by a long horizontal line extending to the right.

Neil MacKinnon
Board President

cc: Michael Catanzaro
Tate Bennett
Samantha Dravis
Chris Hladick
Darrell Henry
Tom Collins