



May 30, 2025

Administrator Lee Zeldin
Environmental Protection Agency
1200 Pennsylvania Ave.
Washington, DC 20460

Re: Alaska business organizations letter supporting removal of Clean Water Act 404c veto
in Bristol Bay, Alaska

Dear Administrator Zeldin:

Under President Biden, the Environmental Protection Agency (EPA) unlawfully banned mining of a world-class copper, gold, molybdenum, and critical mineral deposit in Alaska prior to the completion of its permitting process. We respectfully request the EPA remove the Clean Water Act (CWA) Section 404c preemptive veto at the Pebble Project and take all necessary steps to restore a stable and predictable permitting process for development projects in the United States.

Our organizations have long followed the unusual and highly politicized actions against the above-mentioned project, also known as the Pebble Project. This includes previous attempts to preemptively veto the project by the Obama Administration in 2012, a withdrawal of those actions in 2017 by the Trump Administration, followed by an extensive federal permitting process in which began in late 2017 for which the EPA was significantly involved, along with several other federal agencies, including the U.S. Army Corps of Engineers (the lead agency). This permitting process spanned two and a half years and concluded with an Environmental Impact Statement in August of 2020 (EIS) that stated mining could be done at Pebble Project without negative impacts to the fishery.

Later, in 2020, the Department of the Army, through the U.S. Army Corps of Engineers, denied the innovative mitigation activities proposed for Pebble for their CWA permit, and aspects of that decision are still in litigation. Despite these pending appeals, the Biden-era EPA preemptively vetoed the Project in 2023. This 2023 decision fully constitutes a preemptive veto that did not just impact the proposed Pebble Project, but also opportunities on over 200,000 acres of State of Alaska lands in Southwest Alaska. What is more, and the reason that our diverse organizations write to you today, is that this political

decision-making tennis match does nothing to demonstrate permitting stability in the U.S. As you know, permitting predictability is a critical factor in investment decisions for all economic development projects across the country.

The Biden EPA veto simply ignored the positive conclusions in the National Environmental Policy Act (NEPA) EIS process undertaken to evaluate the Pebble Project. Further, the Biden administration ignored that the process had yet to conclude. The veto is in stark contrast with the stated goals of the Trump Administration and its efforts to restore mineral and energy independence in our country.

Our organizations have witnessed the EPA under Presidents Obama and Biden take 404(c) actions to preemptively (before permitting is initiated) and retroactively (two years after permits were reviewed and approved) make politically-driven decisions to stop projects they do not support. The NEPA permit process should not be a popularity contest. It should be based on facts and science. Thus, we the undersigned, along with many other organizations have asked Congress to rein in future EPAs from abusing the 404c veto for other future potential development. This stability is critical for developers to attract investment in economic activity across the nation. In the meantime, the removal of the Biden EPA veto at Pebble is a positive step in this direction. We strongly urge Pebble be allowed to return to requirements of the permitting process that are known, followed by regulators, and free from overtly political interference.

We are most appreciative of the steps that President Trump and you, as EPA Administrator are taking to undo the regulatory damage to natural resource development projects done by the Biden Administration. That administration's war on our country's natural resource economy was unprecedented in our country's history. This administration's commitment to undoing those misguided efforts will have a major positive impact on the nation's economy.

Sincerely,



Kati Capozzi
President and CEO
Alaska Chamber



Tessa Axelson
Executive Director
Alaska Forest Association



Karen Matthias
Executive Director
Alaska Metal Mines



Deantha Skibinski
Executive Director
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Robert Ervine
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Rebecca Logan
CEO
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Alicia Amberg
Executive Director
Associated General Contractors of Alaska



Leila Kimbrell
Executive Director
Resource Development Council for Alaska, Inc.

CC: Governor Michael Dunleavy
Senator Lisa Murkowski
Senator Dan Sullivan
Congressman Nick Begich
EPA Region 10 EPA Administrator Emma Pokon