



121 W. FIREWEED SUITE 120 | ANCHORAGE, ALASKA | 99503 | 907.563.9229 | ALASKAMINERS.ORG

February 17, 2026

Jessica Kramer, Assistant Administrator
U.S. Environmental Protection Agency
Office of Water
Mail Code 4101M
1200 Pennsylvania Ave, NW
Washington, DC 20460
Submitted via regulations.gov

Re: Updated Water Quality Certification Regulations; Docket ID No. EPA-HQ-OW-2025-2929

Dear Assistant Administrator Kramer:

The Alaska Miners Association (AMA) appreciates the opportunity to provide comments on the U.S. Environmental Protection Agency's (EPA) proposed rule to update the procedures and requirements for water quality certifications under Section 401 of the Clean Water Act (CWA).

AMA is a professional membership trade organization established in 1939 to represent the mining industry in Alaska. AMA's more than 1,400 members come from eight statewide branches: Anchorage, Denali, Fairbanks, Haines, Juneau, Kenai, Ketchikan/Prince of Wales, and Nome. Alaska's miners are individual prospectors, geologists, engineers, suction dredge miners, small family mines, junior mining companies, major mining companies, Alaska Native Corporations, and the contracting sector that supports Alaska's mining industry.

The agency's proposed rule on Section 401 of the CWA and changes will affect all mining operations and projects nationwide. To that end, we endorse the comments of the National Mining Association and the American Exploration & Mining Association. These two organizations have provided extensive technical comments on the proposed rule on behalf of our nationwide industry. Our comments enclosed will detail the Alaska mining-specific concerns and issues.

First, AMA wishes to express appreciation for the concept that the Proposed Rule narrows the scope of the Section 401 certifications process so that the process cannot be used as a weapon to shut down projects. Limiting the scope to a review of the project's potential to discharge into a Water of the United States (WOTUS) is sensible and far more reasonable than the previous rule, which allowed for consideration of "activity as a whole." This proposed change ensures objective and rigorous review of proposed development projects.

AAMA requests that as this process moved forward, the Agency continues to work with its federal and state agency partners, as well as the regulated community to ensure durable regulations that can be



followed for applicants. For instance, in Alaska, the Alaska Department of Environmental Conservation performs Section 401 certifications for Nationwide Permits when they are reauthorized. This may not be the case with other states. Applicants will need to be aware of changes to permitting timelines based on the changes of 401 certifications and how they apply to general permits.

Thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "DSK", is positioned above the typed name.

Deantha Skibinski
Executive Director