**EPA'S 404(C) VETO PROCESS IN BRISTOL BAY**

**PETITION EPA**

**May 2010** - Bristol Bay Tribes petition EPA to use Section 404(c) of the Clean Water Act to stop mines like Pebble in the watershed.

**404(c) PROPOSED DETERMINATION**

**July 2014** - After a multi-year assessment of the impacts of mining in the region finding Pebble Mine would cause unacceptable harm to Bristol Bay, EPA issues a 404(c) Proposed Determination proposing restrictions to safeguard the watershed.

**PROTECTIONS WITHDRAWN**

**2019** - The Trump Administration withdraws the 2014 Proposed Determination. Bristol Bay Tribes & allies sue to save the 404(c).

**REINSTATES 404(c) PROPOSED DETERMINATION**

**October 2021** - Federal Court reinstates the 2014 404(c) Proposed Determination thereby reinitiating the 404(c) process that could veto Pebble Mine, ending the lawsuits over withdrawal.

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**WHAT COMES NEXT**

1. **REVISED 404(c) PROPOSED DETERMINATION**
   - **May 2022** - EPA issued a revised 404(c) Proposed Determination outlining preliminary plans to protect the Bristol Bay watershed from mining activity at the Pebble deposit.

2. **EPA PUBLIC COMMENT PERIOD**
   - **May 25 - September 2022** - EPA is taking public comments on its proposed 404(c) action and will hold public hearings mid-June. We urge everyone to make your voice heard!

3. **404(c) RECOMMENDED DETERMINATION**
   - **Expected Late Fall 2022** - EPA releases 404(c) Recommended Determination - decision to finalize now lies with the EPA Administrator.

4. **404(c) FINAL DETERMINATION**
   - **Expected Winter 2022** - After a period to notify the Army Corps of Engineers, the State of Alaska and the project proponent (Pebble), EPA releases Final Determination, that could kill Pebble for good.