



July 16, 2020

The Honorable Russell Vought  
Office of Management and Budget  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

**Subject: Support the rescission of the Alaska Supplement to the Army Corps' 1987 Wetlands Delineation Manual**

Dear Director Vought,

The Greater Fairbanks Chamber of Commerce supports the rescission of the Alaska Supplement to the Army Corps' 1987 Wetlands Delineation Manual under Executive Order 13,891. Executive Order 13,891 lays out the rules for keeping or discarding existing agency guidance documents. Please reference the letter sent to Office of Management and Budget from the Pacific Legal Foundation dated June 3, 2020.

Using that Executive Order, the Chamber urges OMB to withdraw the Alaska Supplement as it was never reviewed or approved by Congress, it contradicts the Clean Water Acts' definition of permafrost, and the Army Corps has never produced a "final wetlands delineation manual" as required by the 1993 Appropriations Act.

Using this Alaska Supplement, the Corps is improperly regulating permafrost (frozen ground) as "Navigable Waters" under the Clean Water Act. By designating immeasurable acreage as permafrost, the Army Corps is attempting to assert jurisdiction over those lands beyond what is defined.

Economically, the Alaska Supplement has been detrimental for businesses all over the state, including here in Fairbanks. The Alaska Supplement has been used as a political tool to lock up lands used for resource development and additionally it is being used as a revenue generating mechanism. Some permits require landowners to set up a permanent preserve with their acreage, rendering it unusable. For other permits, the mitigation is a monetary "fine" per acre. Both circumstances are detrimental in the economic damages caused.

## EXECUTIVE PARTNERS

### DIAMOND

Alaska Airlines  
Denali State Bank  
Foundation Health Partners  
Fairbanks Memorial Hospital, TVC Orthopedics & Sportsmedicine  
Mt. McKinley Bank  
Vivlamore Companies

### PLATINUM

Alyeska Pipeline Service Co.  
ConocoPhillips  
Doyon, Limited  
Fairbanks Daily News-Miner  
Golden Heart Utilities  
Kinross Fort Knox Mine  
Lockheed Martin  
MAC Federal Credit Union

### GOLD

Alaska Executive Search  
BP Exploration  
Carlson Center  
Design Alaska  
Doyon Utilities LLC  
First National Bank Alaska  
Matson Alaska  
Northern Star Pogo LLC  
TOTE Maritime Alaska  
Usibelli Coal Mine  
WAL-MART Stores, Inc.  
Westmark Fairbanks Hotel & Fairbanks Princess Riverside Lodge

### SILVER

Ahtna Incorporated  
Alaska USA  
Alaska Railroad  
Ambler Metals  
AT&T  
Costco Wholesale  
Crowley Fuels Alaska  
Everts Air Cargo, Everts Air AK  
Exclusive Paving/University Redi-Mix  
Fairbanks Natural Gas  
Flowline Alaska  
GCI  
Gene's Chrysler, Jeep & Dodge  
Golden Valley Electric Association  
Hale & Associates, Inc.  
Hilcorp Alaska, LLC  
HUB International  
JL Properties, Inc.  
Key Bank  
LifeMed Alaska  
Lynden  
McDonald's of Fairbanks  
Northrim Bank  
Personnel Plus  
Seekins Ford Lincoln  
Sourdough Fuel  
Spirit of Alaska Federal Credit Union  
TDL Staffing  
Tower Hill Mines-Livengood Gold Project  
Trilogy Metals  
University of Alaska Fairbanks  
Verizon Wireless  
Wells Fargo Bank Alaska  
Yukon Title Company



The Greater Fairbanks Chamber of Commerce represents over 650 business members throughout Interior Alaska. We work to advocate for the best business environment, promote economic strength and growth for interior Alaska, and to develop the resources and networks enterprising people use to share knowledge.

Respectfully,

A handwritten signature in black ink that reads "Marisa Sharrah".

Marisa Sharrah  
President/CEO

A handwritten signature in black ink that reads "Sabrina Binkley".

Sabrina Binkley  
Board Chair