



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

W-15J

Ms. Laura Bishop, Commissioner  
Minnesota Pollution Control Agency  
520 Lafayette Road N  
St. Paul, Minnesota 55155-4194

Dear Ms. Bishop:

The Red Lake Band of Chippewa Indians has applied to the U.S. Environmental Protection Agency Region 5 for program authorization under sections 518, 303 and 401 of the Clean Water Act (CWA). Approval of the application would allow the Red Lake Band of Chippewa Indians to adopt, review, and revise water quality standards pursuant to Section 303(c) of the CWA and to certify that discharges comply with those water quality standards pursuant to Section 401 of the CWA, for all surface waters within the Tribe's Reservation and on certain tribally held trust lands outside the Reservation.

EPA is reviewing the Tribe's application. In accordance with 40 C.F.R §§ 131.8(c)(2)-(3), EPA is requesting comments from the State of Minnesota Pollution Control Agency (MPCA) on the Tribe's assertion of authority to regulate surface water quality within the reservation and on these tribally held trust lands. A copy of the complete application and supporting maps can be found on line at: <https://www.epa.gov/mn/red-lake-band-chippewa-indians-minnesota-application-treatment-state-water-quality-standards>.

In addition to this written notice, EPA will issue a public notice in the *Bemidji Pioneer* and the *Red Lake Nation News*. The public notice will notify interested parties of the request for comments and, at the request of MPCA, will advise them to send comments on the Tribe's assertion of authority to EPA rather than to the State of Minnesota. We are also sending copies of this letter to the Minnesota Governor's Office and to the Minnesota Attorney General's Office.

EPA recognizes that city and county governments which may be subject to or affected by Tribal standards may also want to comment on the Tribe's assertion of authority. The Agency, therefore, is also providing notice to the following:

Chairman Darrell Seki  
Tribal Council  
15484 Migizi Dr.  
Red Lake, MN 56671

Jason Defoe, Court Administrator  
Tribal Court  
25060 Hwy 1 East  
Red Lake, MN 56671

Thomas H. Barry  
Beltrami County Administrator  
701 Minnesota Ave. NW, Suite 200  
Bemidji, MN 56601

Mayor Jorge Prince  
City of Bemidji  
1911 Norton Ave. NW  
Bemidji, MN 56601

Lori Buell - District Manager  
Clearwater Soil & Water Conservation District  
312 Main Ave. North, Suite 3  
Bagley, MN 56621

Brent Rud - District Manager  
Beltrami Soil & Water Conservation District  
701 Minnesota Ave., Suite 113  
Bemidji, MN 56601-3177

EPA would appreciate receiving your comments on the Tribe's assertion of authority within two weeks after the close of the public comment which you can find in the attached Public Notice. Please send your comments to:

David Horak  
Tribal Program Manager  
Water Division, WS-15J  
U.S. Environmental Protection Agency Region 5  
77 West Jackson Blvd.  
Chicago, Illinois 60604  
horak.david@epa.gov

Feel free to contact me if you have any questions. You and your staff may also call David Horak, at (312) 353-4306, or Tera L. Fong, Water Division Director, at (312) 886-6735.

Sincerely,

Cheryl L. Newton  
Acting Regional Administrator

Enclosure

cc by electronic mail:

Governor Tim Walz, Office of the Governor  
Darrel G. Seki, Chairman, Red Lake Band of Chippewa Indian  
Katrina Kessler, Assistant Commissioner, MPCA  
Keith Ellison, Minnesota Attorney General  
Red Lake Tribal Court  
Red Lake Tribal Council  
Beltrami County Administrator  
City of Bemidji  
Clearwater Soil & Water Conservation District  
Beltrami Soil & Water Conservation District