



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

REPLY TO THE ATTENTION OF:

W-15J

The Honorable Tim Walz
Governor of Minnesota
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155-1611

Dear Governor Walz:

The Red Lake Band of Chippewa Indians (the Tribe) has applied to the U.S. Environmental Protection Agency for program authorization under sections 518, 303, and 401 of the Clean Water Act (CWA). Approval of the application would allow the Tribe 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 Red Lake Reservation and on certain tribally held trust lands outside the Reservation.

In accordance with Title 40 of the Code of Federal Regulations (C.F.R.) §131.8(c)(2)-(3), EPA is requesting comments from the State of Minnesota on the Tribe's assertion of authority to regulate surface water quality on the lands described above. A copy of the complete application and supporting maps can be found online 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 the Minnesota Pollution Control Agency (MPCA), will advise them to send comments on the Tribe's assertion of authority to EPA rather than to the State of Minnesota. EPA is also sending copies of this letter to the MPCA 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, Minnesota 56671

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

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

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

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

Brent Rud - District Manager
Beltrami Soil & Water Conservation District
701 Minnesota Ave., Suite 113
Bemidji, Minnesota 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 S. Horak
Tribal Program Manager
Water Division, WS-15J
U.S. Environmental Protection Agency Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604-3590
horak.david@epa.gov

Feel free to contact me if you have any questions. You and your staff may also call David Horak, Water Division Tribal Program Manager 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:

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