



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

May 11, 2007

Ref: 8EPR-EP

Colonel Ronald N. Light
District Engineer, Sacramento District
Attn: Michael S. Jewel, Regulatory Section
U.S. Army Corps of Engineers
1325 J Street, 14th floor
Sacramento, California 95814-2922

Colonel David Press,
District Engineer, Omaha District
Attn: Martha Chieply, Chief of Regulatory
U.S. Army Corps of Engineers
106 S. 15th Street
Omaha, Nebraska 68102

Colonel Bruce Estok
District Engineer, Albuquerque District
Attn: Don Borda, Chief of Regulatory
U.S. Army Corps of Engineers
4101 Jefferson Plaza NE, Room 313
Albuquerque, New Mexico 87109-3435

Re: Certification of Nationwide Permits in Indian Country
Pursuant to Section 401 of the Clean Water Act

Dear Colonels Light, Press and Estok:

This letter is in response to the US Army Corps of Engineers Final Notice of Issuance of Nationwide Permits (NWP) listed in the Monday, March 12, 2007, Federal Register for Clean Water Act (CWA) Section 401 water quality certification. This water quality certification applies only to waters of the United States within Environmental Protection Agency (EPA) Region 8 where Tribes have not assumed CWA Section 401 Water Quality Certification and Section 303 Water Quality Standards Programs.

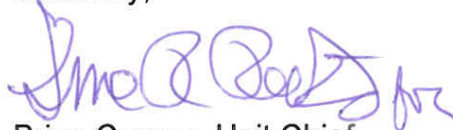
Region 8 has not received any final regional conditions from the USACE. Therefore, if final regional conditions are modified such that changes necessitate a change in 401 certification, Region 8 will modify this certification following receipt of final NWP regional conditions.

The USACE and applicants should consider contacting EPA, Region 8 as early as possible for potential permits and actions that may be complicated and when early discussions may be beneficial to all parties. EPA requests notification when the USACE District Engineer intends to exert discretionary authority or waive the acreage, linear feet or cubic yard limits of the 2007 Nationwide Permits. We would like the opportunity to discuss the rationale and finding of minimal impact in these instances.

For NWP's that do require an individual 401 certification application, submission or notification, the information should be sent to the EPA and to the appropriate Tribe. Suggested minimum information needed by EPA is enclosed; if minimum information is not included, the request for 401 certification may not be considered complete. The USACE should be aware of tribal trust lands that are outside of commonly known reservation boundaries. A state certification is not valid on these waters; and without a valid 401 certification, a permit would not be valid.

Your staff may contact Ms. Toney Ott at 303-312-6909, ott.toney@epa.gov, or your assigned Region 8 Section 404 staff if there are any questions or if clarification is necessary.

Sincerely,



Brian Caruso, Unit Chief
Wetlands and Watershed Unit
Ecosystems Protection Program

cc: Region 8 Tribal Environmental Directors
Cheryl Goldsberry, Omaha District

Enclosures:

USEPA Region 8 Water Quality Certification in Accordance with Section 401 of the Clean Water Act for the 2007 Nationwide Permits in Indian Country

Application Checklist for Completeness - - 401 Certifications for USACE NWP's

Tribal Contacts in U.S.E.P.A. Region 8, Current as of May 8, 2007

Region 8 Tribes with Treatment as State Status for CWA Section 303 and Section 401, Current as of May 8, 2007

Environmental Protection Agency, Region 8

Water Quality Certification in Accordance with Section 401 of the Clean Water Act for the 2007 Nationwide Permits in Indian Country

May 11, 2007

These requirements apply to permitted activities occurring within "Indian country" as defined at 18 U.S.C. Section 1151, which includes lands located within formal Indian reservations as well as lands held in trust by the United States for Indian tribes and located outside the boundaries of formal Indian reservations. Please be aware that tribal trust lands located outside the boundaries of formal Indian reservations exist in Region 8.

A. SPECIFIC NATIONWIDE PERMITS CWA Section 401 CERTIFICATION DENIED

USEPA Region 8 is denying CWA Section 401 certification on all waters for the following NWP: # 16, # 17, # 21, # 33, # 34, # 44, # 45, # 46, # 47, # 49 and # 50. On NWPs that have been "denied" the EPA will review the proposed permit activity and issue a project-specific 401 Certification decision on each permit.

B. GENERAL CONDITIONS FOR ALL NATIONWIDE PERMITS

1. Project proponent/contractor must have the following on-site:
 - a copy of the appropriate USEPA Regional 401 certification general and specific conditions contained in this certification;

in addition, for NWP permits requiring a 401 certification application to USEPA:

- the 401 certification application, and
- EPA Region 8 CWA Section 401 certification document if applicable.

2. Certification is denied for any activity affecting fens and springs.

Note: EPA adopts the definitions of these aquatic resources as defined by the 2007 Regional Conditions, as defined by the published draft conditions.

3. This certification does not authorize the placement or construction of septic/leach systems or other sewage/waste treatment plants in wetlands.

4. This certification does not authorize the construction of dams, except for stream restoration projects.

5. This certification does not authorize the construction of any portion of a facility for confined animal feeding operations, including, but not limited to, the construction of buildings, holding/detention and sewage lagoons, and/or livestock holding areas.

6. Wetland mitigation under these nationwide permits shall be completed prior to, or concurrent with, the project impacts. Wetland mitigation should be in-kind and on-site replacing native wetland plant communities lost from all project impacts. If the USACE

recommends a mitigation bank or in-lieu fee program and the permittee chooses to utilize the option of a mitigation bank or in-lieu fee program, the applicant must submit the name of the bank or program, and the number and type of credits to be purchased prior to project impacts.

7. For any general or specific nationwide permit conditions requiring notification in accordance with the Preconstruction Notification general condition #27 (72 Fed. Reg. 11092, 11195 (March 12, 2007)), "Agency Coordination" for project activities should include coordination with Native American Tribe or Tribes affected by such project activities.

8. Based on experience with invasive species, infestations of invasive plant species may result in increased erosion and/or pesticide applications, have the potential to reduce water quality, impact aquatic habitat, and impact designated water quality uses. This certification requires the use of certified weed-free hay/straw with any revegetation of project areas for activities authorized under these nationwide permits. This certification requires the use of seed that contain no noxious weed seed and meets certified seed quality. All seed must have a valid seed test within one year of the use date, from a seed analysis lab by a registered seed analyst (Association of Official Seed Analysts). The seed lab results shall show no more than 0.5 percent by weight of other weed seeds; and the seed lot shall contain no noxious, prohibited, or restricted weed seeds according to State seed laws in the respective State(s).

9. This certification requires monitoring for and control of invasive species during project construction if areas are disturbed and not immediately revegetated. This certificate requires monitoring for and immediate control of invasive species after project completion through at least one growing season. A maximum goal of less than 5% weed-species plants should be set, unless local, State, Tribal, or USACE rules, ordinances or permit conditions require more stringent monitoring and response.

10. Vegetation should be protected except where its removal is absolutely necessary for completion of the work. Applicant should revegetate disturbed soil in a manner that optimizes plant establishment for that specific site. Revegetation may include topsoil replacement, planting, seeding, fertilization, liming, and weed-free mulching as necessary. Applicant should use native material where appropriate and feasible. Where practical, stockpile weed-seed-free topsoil and replace it on disturbed areas. All cut and fill slopes that will not be protected with riprap should be revegetated with appropriate species to prevent erosion.

11. The following conditions apply when operating equipment or otherwise undertaking construction in a water of the U.S.

A. This certification requires all equipment to be inspected for oil, gas, diesel, anti-freeze, hydraulic fluid and other petroleum leaks. All such leaks will be properly repaired and equipment cleaned prior to being allowed on the project.

Leaks that occur after the equipment is moved to the project site will be fixed that same day or the next day or removed from the project area. The equipment is not allowed to continue operating once the leak is discovered.

B. Construction equipment should not be operated below the existing water surface except as follows:

a) Fording at one location is acceptable; however, vehicles should not push or pull material along bed or bank below the existing water level. Impacts from fording should be minimized.

b) Work below the waterline which is essential should be done in a manner to minimize impacts to the aquatic system and water quality.

C. All equipment that has been operated in waters of the US, with known invasive species infestation(s) is to be inspected and cleaned before entering waters of the U.S. for this permit. All equipment is to be inspected and cleaned after use.

12. Any temporary crossings, bridge supports, cofferdams or other structures that are necessary during the permit activity should be designed to handle high flows that can be anticipated during permit activity. All temporary structures should be completely removed from the waterbody at the conclusion of the permitted activity and the area restored to a natural appearance.

13. This certification does not authorize any unconfined discharge of liquid cement in waters of the United States. Grouting riprap must occur under dry conditions with no exposure of wet concrete to the waterbody.

14. All discharges must occur during the low flow or no flow period of the season.

C. ADDITIONAL CONDITIONS FOR SPECIFIC NATIONWIDE PERMITS

In addition to the general conditions for all Nationwide Permits, the following conditions are specific to each listed nationwide permit.

Nationwide Permit 3. Maintenance Activities

- A. For the repair of low water crossings, this certification is denied for discharges of any fill or dredged material that would result in an increase in land contour height beyond the original dimensions.
- B. Silt and sediment removal associated with low water crossings shall be limited to a maximum of 50 linear feet.
- C. Silt and sediment removal associated with bridge crossings shall be limited to a maximum of 100 linear feet.

Nationwide Permit 4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities

This certification does not allow for the introduction of non-native flora or fauna.

Nationwide Permit 7. Outfall Structures and Associated Intake Structures

For construction and maintenance activities:

- A. Construction of the outfall structure shall be placed at the streambed elevation and, at a minimum; the pipeline should be oversized to prevent high-pressure discharge of stormwater.
- B. Certification is denied for construction of the outfall structure in wetlands.
- C. Controls shall be put in place to stabilize all areas of the bed and bank around and adjacent to the outfall structure and associated intake structures that may be affected by outfall or stream flows, respectively.
- D. This certification does not authorize structures for drainage activities that result in a loss of waters of the U.S., such as tile systems.

Nationwide Permit 11. Temporary Recreational Structures

This certification does not allow for the introduction of non-native flora or fauna.

Nationwide Permit 12. Utility Line Activities

- A. Project proponent/contractor must have a copy of the 401 certification application and the EPA 2007 water-quality-certification-document on-site.
- B. Certification is denied for activities in perennial drainages and wetlands.
- C. Certification is denied for all water intake structures.

D. Activities in ephemeral and intermittent drainages are certified with the following conditions:

a) Crossings must be placed as close to perpendicular to the watercourse as possible.

b) Affected streambanks must be sloped such that the stream bottom width is not reduced and bottom elevations are restored to original elevations.

c) Disturbed stream banks must be reconfigured to mimic a stable naturally vegetated portion of the same stream within ½ mile in either direction of the project and not reduce the bottom width of the stream. If a natural/native stream reach is not available within the adjacent reach, other natural portions of the drainage can serve as a reference condition.

E. USACE General Condition 20. Mitigation, (72 Fed. Reg. 11092, 11193-11194 (March 12, 2007)) requires permittees to avoid and minimize adverse effects to the maximum extent practicable on the project site. A statement or other evidence that General Condition 20 has been met should be submitted.

F. Applications for this NWP water quality 401 certification must include the following detailed information at a minimum and will serve as baseline certification conditions for the project.

a) Location and Wetland Map:

- Narrative describing both the location (i.e., Section, Township Range, and decimal Latitude/Longitude) of the proposed construction project, the affected waters/wetlands, and the type of utility line.
- An aerial photograph with wetland overlays must be provided with Ordinary High Water Mark delineated.

b) Waters of the U.S. Description:

- A description of the waterbody/wetlands including the dominant plant communities present in the wetlands or riparian areas.
- On-site photographs of the site must be taken during the growing season to include a colored overlay line indicating the alignment of the pipeline across the waterbody/wetlands or other construction features.

c) Construction Description:

- A description of the methods by which the utility will be constructed on the site including (but not limited to) the trench size and depth, backfill materials (specifications), construction machinery to be used, cofferdam or road crossing specifications, and best

management practices to be implemented on-site (including invasives controls).

- Access roads must be constructed outside of waters /wetlands where alternatives are available.
- Proposed under drains (tile, french drains, etc.) must be described if proposed with the project.
- Details on pipeline corrosion protection methods must be provided.
- Where a positive gradient exists the wetlands such that drainage along the pipeline may occur, clay blocks, or another suitable method that will protect aquatic resources from inadvertent drainage, are required to prevent said wetland drainage.
- Site-specific cross-sectional drawings should be provided, including a drawing of the clay block or other method used to stop drainage.

d) Description of Impacts to Waters of the U.S.:

- A description of the amount (acreage and square feet) of disturbance/loss to waters of the U.S. (including wetlands) must be provided. Loss of waters includes both temporary and permanent impacts to wetlands resources from the construction project, including access roads.
- The length and width of the crossing and amount of impacts to the dominant plant communities must be provided.
- All unavoidable temporary sidelaying of materials (dredge or fill material) in wetlands must be placed on landscaping fabric or a weed-free hay/straw layer to mark the existing wetlands elevation.

e) Mitigation and Restoration Plan:

- Where proposed construction of the utility results in the conversion of a wetland type (i.e., forested/shrub willow type) to an herbaceous wetland type (i.e., wet meadow type), mitigation of the shrub community must be accomplished on-site to restore designated uses.
- The top six to 12 inches must be backfilled with topsoil from the trench.
- Mitigation plans (including road design specifications to minimize adverse impacts to adjacent wetlands) for unavoidable impacts resulting from access roads must be provided.

Nationwide Permit 13. Bank Stabilization

A. For this certification to be valid, the use of root wads, tree trunks, planting of live vegetation, proper bank sloping or a combination thereof will be used as bank stabilization structures. Native plants shall be planted in all disturbed areas and artificial soil stabilizing material (e.g. mulch, matting, netting etc) shall be used to reduce soil erosion. These materials, to include all plants and plant seed

shall be on site or scheduled for delivery prior to or upon completion of the earth moving activities. Sediment control measures shall be maintained in good working order at all times.

For the purpose of this condition, "proper sloping" is defined as configuring the disturbed bank to mimic a stable portion of the same stream within ½ mile in either direction of the project and not reduce the bottom width of the stream.

B. If flow conditions dictate the use of hardened structures, only appropriately sized angular rock may be used. The use of soil cement, concrete, grouted riprap, etc. is NOT certified.

Nationwide Permit 14. Linear Transportation Projects

A. Stormwater resulting from both the construction and operation of these authorized projects (including runoff from bridge decks) must be routed into constructed runoff water quality control systems (e.g. sediment basins, wet ponds, etc.) in order to eliminate sediment and other pollutants prior to entry of stormwater into waters of the United States.

B. Affected streambanks must be sloped such that the stream bottom width is not reduced and bottom elevations are restored to original elevations.

C. Crossings must be placed as close to perpendicular to the watercourse as possible.

D. The upland and riparian areas adjacent to all sides of the crossing must be revegetated in all directions from the banks of the tributary with native vegetation that is common to the geographical area. Native plants shall be planted in all disturbed areas and artificial soil stabilizing material (e.g. mulch, matting, netting etc) shall be used to reduce soil erosion. These materials, to include all plants and plant seed shall be on site or scheduled for delivery prior to or upon completion of the earth moving activities.

Nationwide Permit 15. U.S. Coast Guard Approved Bridges

A. Stormwater resulting from both the construction and operation of these authorized projects (including runoff from bridge decks) must be routed into constructed runoff water quality control systems (e.g. sediment basins, wet ponds, etc.) in order to eliminate sediment and other pollutants prior to entry of stormwater into waters of the United States.

B. Affected streambanks must be sloped such that the stream bottom width is not reduced and bottom elevations are restored to original elevations.

C. Crossings must be placed as close to perpendicular to the watercourse as possible.

D. The upland and riparian areas adjacent to all sides of the crossing must be revegetated in all directions from the banks of the tributary with native vegetation that is common to the geographical area. Native plants shall be planted in all disturbed areas and artificial soil stabilizing material (e.g. mulch, matting, netting etc) shall be used to reduce soil erosion. These materials, to include all plants and plant seed shall be on site or scheduled for delivery prior to or upon completion of the earth moving activities.

E. Bridge decks should be designed such that they do not drain directly into the waterbody.

Nationwide Permit 16. Return Water From Upland Contained Disposal Areas.

Certification is denied.

Nationwide Permit 17. Hydropower Projects.

Certification is denied.

Nationwide Permit 19. Minor Dredging

A. Dredge or fill may **not** be placed on temporary islet, islands, sandbars, landmass or other area of sediment accumulation, within the banks of a stream, shore of lake, edge of wetland or other type of waterbody; unless the vegetation and geomorphology signify a long term stable configuration. (e.g. Areas of accumulation are not formed from temporary situations such as drought conditions or temporary upstream reservoir release conditions).

B. Dredge materials must be placed in an upland and controlled such that it cannot return to waters of the U.S.

Nationwide Permit 21. Surface Coal Mining Operations. Nationwide Permit 21. Surface Coal Mining Activities

Certification is denied.

Nationwide Permit 23. Approved Categorical Exclusions

This certification is valid only for Categorical Exclusions listed in RGL 05-07.

Nationwide Permit 27. Aquatic Habitat Restoration, Establishment, and Enhancement Activities

A. This certification does not allow conversion of one habitat type to another (e.g. wetlands to open water, woody vegetation to herbaceous).

B. This certification does not allow for the introduction of non-native flora or fauna.

Nationwide Permit 28. Modifications of Existing Marinas

This certification does not allow for expansion.

Nationwide Permit 29. Residential Developments

A. Certification is denied for discharges into wetlands, intermittent or perennial drainages.

B. Subdivisions not authorized under this certification.

C. USACE General Condition 20. Mitigation (72 Fed. Reg. 11092, 11193-11194 (March 12, 2007)) requires permittees to avoid and minimize adverse effects to the maximum extent practicable on the project site. Statement or other evidence that General Condition 20 has been met should be submitted.

Nationwide Permit 30. Moist Soil Management for Wildlife

This certification does not allow for the introduction of non-native flora or fauna.

Nationwide Permit 33. Temporary Construction, Access and Dewatering

Certification is denied.

Nationwide Permit 34. Cranberry Production Activities

Certification is denied.

Nationwide Permit 37. Emergency Watershed Protection and Rehabilitation

A. In addition to the information specified in USACE General Condition 27 Preconstruction Notification (72 Fed. Reg. 11092, 11188 (March 12, 2007)), the notification to USEPA must include documentation that the work qualifies as an "emergency" situation and that immediate action will be taken if nationwide authorization is verified. In addition, notification must include:

a) A delineation of special aquatic sites;

b) Any spoil must be placed in an upland and controlled such that it cannot return to waters of the U.S.; and

c) A delineation of riparian areas to be cleared and an analysis of alternatives to such clearing.

B. Certification is denied for discharges for which notification is submitted more than one year after the official conclusion of the emergency that caused the situation.

C. Certification is denied for channelization of streams or sloughs or for removal of silt beyond what was deposited by the emergency.

Channelization is defined, for this purpose, as the placement of excess material in a manner that modifies the bank alignment, and subsequently the channel alignment, from its present condition.

D. Certification is denied for a discharge of fill or dredged material into special aquatic sites if a practicable alternative that does not involve discharge into a special aquatic site is available. If discharge into a special aquatic site is unavoidable, discharge must be minimized.

E. The disturbing or clearing of riparian areas shall be minimized to enough space to provide equipment access.

F. Construction of temporary structures or drains for the purpose of reducing or preventing flood damage is certified if the site is returned to pre-flood condition within 60 days following the emergency.

G. Repair of permanent structures damaged by floodwaters is certified to the extent that it returns the structure to pre-flood condition.

Nationwide Permit 38. Cleanup of Hazardous and Toxic Waste

For this certification to be valid, notification to USEPA and the Tribe is required.

Nationwide Permit 39. Commercial and Institutional Developments

A. Certification is denied for discharges into wetlands, intermittent or perennial drainages.

B. Certification is denied for subdivisions

C. USACE General Condition 20. Mitigation, (72 Fed. Reg. 11092, 11193-11194 (March 12, 2007)) requires permittees to avoid and minimize adverse effects to the maximum extent practicable on the project site. Statement or other evidence that general condition 20 has been met should be submitted.

Nationwide Permit 40. Agricultural Activities

A. Certification is denied for the construction of new levees, ditches, or drainage activities.

B. Certification is denied for the construction of building pads causing the loss of greater than 1/10 acre of wetlands for both USDA program participants and non-participants.

C. Certification is denied for activities related to tile construction.

Nationwide Permit 41. Reshaping Existing Drainage Ditches

A. Clearing of riparian corridors must be limited to the minimum necessary for project construction. Clearing limits must be specified in the construction contract.

B. This certification does not authorize stream relocation projects.

Nationwide Permit 42. Recreation Facilities

A. Certification is denied for the construction of parking lots, golf course, golf course buildings, ponds and reservoirs, ski areas and ski infrastructures, race tracks, and amusement parks.

B. Certification is denied for discharges resulting in the loss of more than 100 linear feet of channel, streambank, and/or wetlands for a single and complete project.

C. Clearing of riparian corridors and wooded and scrub shrub areas must be limited to the minimum necessary for project construction. Clearing limits must be specified in the construction contract on a drawing and/or map, and in narrative format.

Nationwide Permit 43. Stormwater Management Facilities

Certification is denied for the construction of new stormwater management facilities.

Nationwide Permit 44. Mining Activities. Nationwide Permit 44. Mining Activities

Certification is denied.

Nationwide Permit 45. Repair of Uplands Damaged by Discrete Events.

Certification is denied.

Nationwide Permit 46. Discharges in Ditches

Certification is denied.

Nationwide Permit 47. Pipeline Safety Program Designated Time Sensitive Inspections and Repairs

A. Certification is denied, unless there is imminent danger to human health or the health of the environment.

B. Notification and restoration should begin immediately after inspections and repairs are completed. After the fact, notification should be done as soon as possible and include documentation that the work done qualifies as an "emergency" situation and that immediate action was necessary.

Nationwide Permit 49. Coal Remining Activities.

Certification is denied.

Nationwide Permit 50. Underground Coal Mining Activities

Certification is denied.

APPLICATION CHECKLIST FOR COMPLETENESS
401 CERTIFICATIONS for USACE NWP's

1. Application date.
2. Applicant's full identity whether individual or corporate.
3. Applicant's full mailing address or addresses.
4. Signature of the legal applicant is required.
5. Telephone number and e-mail address (and FAX, if available) at which the applicant may be reached during normal business hours.
6. If the applicant is utilizing the services of a legal agent to apply for certification, items 2, 3, 4 and 5 will be also needed for this agent.
7. Full names and addresses of all property owners of the project.
8. Full names and addresses of all adjoining property owners to the project.
9. Overall project description and range of project. (This includes all phases of work.)
10. Purpose of the project (flood control, drainage improvement, erosion control, road construction, etc.).
11. Project dimensions (length, width, height) expressed in standard, commonly-used, units of measurement.
12. Site maps and engineering drawings for more complex projects are recommended, sketches may suffice for smaller or less complex projects. Maps or aerial photographs should be clear and readable. Aerial photographs should be marked with wetlands, waterbodies or high water mark and areas of activity marked.
13. Legal description of the project location (appropriate breakdown into Section(s), Township, Range and County sufficient to locate and define on topographic maps). The notification should also include locational information in decimal degree latitude and longitude.
14. General travel directions to the site.
15. Name or identity of the water body(s) that the project is expected to impact. If the stream is not permanent flow, the applicant will need to include an evaluation by the Corps of Engineers that the water body is jurisdictional.
16. Specifically, state which NWP(s) the applicant is applying for from the USACE. Include measures of impact to waterbody (for example: acreage for surface water impacts, linear feet of bank, shoreline linear feet and acreage) for each NWP.
17. A statement of the cubic yards of material or fill proposed to be placed below the ordinary high water mark within the watercourse, in a wetland, or other waterbody and a complete description as to the source and type of material or fill to be used.
18. A complete description of all work initiated or completed prior to the application submission at this site and within the vicinity. If there has been recent work done by others, this should be noted also.
19. As unavoidable losses to the aquatic resources (including streams and wetlands) must be mitigated, a detailed mitigation plan must be submitted where such losses will be incurred.
20. Statement discussing the avoidance and minimization, a presumption of NWPs and required for individual permits.
21. Monitoring of site, including photograph of site from marked sites, photograph of site after work is complete.
22. Complete copy of USACE application or Checklist (such as the PCN Checklist available from Southern Pacific Division), with supporting material.

Tribal Contacts in U.S.E.P.A. Region 8

Current as of May 8, 2007

Contacts and program status are subject to change
Contact the Tribe for current information

Assiniboine & Sioux Tribes Poplar, MT 59255	John Morales, Chairman Fort Peck Tribal Exec. Board P.O. Box 1027 PHONE: (406) 768-5155 FAX: (406) 768-5478 EMAIL: None	Deb Madison, Environmental Program Manager Assiniboine & Sioux Tribes P.O. Box 1027 PHONE: (406) 768-5155x399 FAX: (406) 768-5606 EMAIL: ghorses@nemontel.net	Water Quality: Wetlands Program: WQS/401 Treatment as a State 401 Contact: Sandra White Eagle Myrna Walking Eagle Sandra White Eagle
Blackfeet Tribe Browning, MT 59417	Earl Old Person, Chairman Blackfeet Tribal Business Council P.O. Box 850 PHONE: (406) 338-7521 FAX: (406) 338-7530 EMAIL: None	Gerald Wagner Environmental Program Blackfeet Tribe P.O. Box 2029 PHONE: (406) 338-7421 FAX: (406) 338-7451 EMAIL: gwagner@3rivers.net	Water Quality: Wetlands Program: Barry Adams, Mary Clare Weatherwax
Blackfeet Indian Reservation of Montana			
Cheyenne River Sioux Tribe Eagle Butte, SD 57625	Joseph Brings Plenty - Chairman Cheyenne River Sioux Tribe P.O. Box 590 PHONE: (605) 964-4155 FAX: (605) 964-4151 EMAIL: hcfrazier@yahoo.com	David D. Nelson, Director Environmental Protection Dept. Cheyenne River Sioux Tribe P.O. Box 590 PHONE: (605) 964-6558x22 FAX: (605) 964-1072 EMAIL: dnelson@crstepd.org	Water Quality: Wetlands Program: Carlyle Ducheneaux Carlyle Ducheneaux
Cheyenne River Reservation			
Chippewa Cree Tribe Box Elder, MT 59521	John Chance Houle, Chairman Chippewa Cree Business Comm. Rocky Boy's Indian Reservation P.O. Box 544-Rocky Boy Route PHONE: (406) 395-4478/4282 FAX: (406) 395-4497 EMAIL: chance@cct.rockyboy.org	Jim Morsette, Dir. Water Resources Dept. Chippewa Cree Tribe of the Rocky Boy's Reservation RR 1, Box 800 PHONE: (406) 395-4225 FAX: (406) 395-4195 EMAIL: jrandall@cct.rockyboy.org	Water Quality: Wetlands Program: Robert New Breast Keith Gopher
Rocky Boy's Reservation			
Confederated Salish & Kootenai Tribes Pablo, MT 59855-0278	James Steele Jr., Chairman Confederated Salish & Kootenai Tribes P.O. Box 278 PHONE: (406) 675-2700x1230 FAX: (406) 675-2806 EMAIL: csktcouncil@cskt.org	Richard Janssen, Mgr. Division of Environmental Protection 301 Main Street, Polson, MT 59860 PHONE: (406) 883-2888 FAX: (406) 883-2896 EMAIL: rich@cskt.org	Water Quality: Wetlands Program: Paula Webster Sue Ball
Flathead Reservation			WQS/401 Treatment as a State 401 Contact: Mike Durgio
Crow Tribe Crow Agency, MT 59022	Carl Venne, Chairman Crow Tribal Council P.O. Box 400 PHONE: (406) 638-3715 FAX: (406) 638-3773 EMAIL: cvenne@crownations.net	Roberta Harjo, Environmental Program Director P.O. Box 159 PHONE: (406) 638-3748 FAX: (406) 638-3952 EMAIL: roberta@crownations.net	Water Quality: Vacant
Crow Tribe of Montana			
Crow Creek Sioux Tribe Ft. Thompson, SD 57339	Lester Thompson, Chairman Crow Creek Sioux Tribe P.O. Box 50 PHONE: (605) 245-2221 FAX: (605) 245-2470 EMAIL: None	Wanda Marks, Environmental Dir. Crow Creek Sioux Tribe P.O. Box 380 PHONE: (605) 245-2212 or 2736 FAX: (605) 245-2602 EMAIL: swan57339@yahoo.com	Water Quality: Lindy Cosgrove
Crow Creek Reservation			

Tribal Contacts in U.S.E.P.A. Region 8

Current as of May 8, 2007

Contacts and program status are subject to change

Contact the Tribe for current information

Eastern Shoshone Tribe Ft. Washakie, WY 82514	Ivan Posey Chairman Eastern Shoshone Business Council P.O. Box 538 PHONE: (307) 332-3532 FAX: (307) 332-3055 EMAIL: None	Don Aragon Director Wind River Environmental Quality Commission P.O. Box 217 PHONE: (307) 332-3164 FAX: (307) 332-7579 EMAIL: daragon@wyoming.com	Water Quality: Wetlands Program: Vacant	Dean Goggles
Wind River Reservation				
Flandreau Santee Sioux Tribe Flandreau, SD 57028	Josh Weston President Flandreau Santee Sioux Executive Committee P.O. Box 283 PHONE: (605) 997-3891 FAX: (605) 997-3878 EMAIL: President@fsst.org	John Bechen Natural Resources Director- Flandreau Santee Sioux P.O. Box 283 PHONE: (605) 997-5123 FAX: (605) 997-5230 EMAIL: fsstnat@mchsl.com	Water Quality: Wetlands Program: Vacant	Vickie Kujawa
Flandreau Santee Sioux Tribe				
Gros Ventre & Assiniboine Tribes Harlem, MT 59526	Julia Doney President Fort Belknap Community Council RR 1, Box 66 PHONE: (406) 353-2205 FAX: (406) 353-4541 EMAIL: judywagon@yahoo.com	Ina Nez Perce Environmental Protection Prgm Mgr. Ft. Belknap Environmental Protection Program RR 1, Box 66 PHONE: (406) 353-8429 FAX: (406) 353-2797 Email: inezperce@fortbelknapnations-nsn.gov	Water Quality: NPS/Wetlands Program: Vacant	Morris Belgard
Ft. Belknap Indian Reservation				
Lower Brule Sioux Tribe Lower Brule, SD 57548	Michael B. Jandreau Chairman Lower Brule Sioux Tribal Council 187 Oyate Circle PHONE: (605) 473-5561 FAX: (605) 473-5606 EMAIL: None	Elaine Thompson Environmental Coordinator Lower Brule Sioux Tribe 187 Oyate Circle PHONE: (605) 473-0163 FAX: (605) 473-0454 EMAIL: whitepipe.elaine@lbsi-epo.org	Water Quality: Wetlands Program: Vacant	George Honeywell
Lower Brule Reservation				
Northern Cheyenne Tribe Lame Deer, MT 59043	Eugene Little Coyote President Northern Cheyenne Tribe P.O. Box 128 PHONE: (406) 477-6284 FAX: (406) 477-6210 EMAIL: None	Joe Walks Along Jr., Acting Director Environmental Protection Dept. Northern Cheyenne Tribe P.O. Box 128 PHONE: (406) 477-6508 or 6506 FAX: (406) 477-8294 EMAIL: enviroinur2@hotmail.com	Water Quality: Wetlands Program: Vacant	Joe Walks Along, Jr.
Northern Cheyenne Indian Reservation			WQS/Section 401 Treatment as a State 401 Contact Joe Walks Along, Jr.	
Northern Arapaho Tribe Fort Washakie, WY 82514	Richard Brannan Chairman Northern Arapaho Business Council P.O. Box 396 PHONE: (307) 332-6120 FAX: (307) 332-7543 EMAIL: None	Don Aragon Director Wind River Environmental Quality Commission P.O. Box 217 PHONE: (307) 332-3164 FAX: (307) 332-7579 EMAIL: daragon@wyoming.com	Water Quality: Wetlands Program: Vacant	Dean Goggles
Wind River Reservation				
Northwestern Band of Shoshoni Nation Pocatello, Idaho 83204	Ivan Wongan Chairman Northwestern Band of Shoshoni Nation 427 N. Main Ste #101 PHONE: (435) 734-2286 FAX: (435) 734-0424 EMAIL: None	Kenneth Timbana GAP Coordinator Northwestern Band of Shoshoni Nation 427 N. Main, Ste. 101 Pocatello, ID 83204 PHONE: (208) 478-5712 FAX: (208) 478-5713 E-Mail: nwbsntrans@ida.net	Water Quality: Wetlands Program: Vacant	Vacant
Washakie Reservation				

Tribal Contacts in U.S.E.P.A. Region 8

Current as of May 8, 2007

Contacts and program status are subject to change
Contact the Tribe for current information

Oglaia Sioux Tribe Pine Ridge, SD 57770	John Yellowbird Steele- President Oglaia Sioux Tribe P.O. Box 2070 PHONE: (605) 867-6074 FAX: (605) 867-6076 EMAIL: None	Robert Pille Environmental Director Oglaia Sioux Tribe P.O. Box 2008 PHONE: (605) 867-5236/5736/5476 FAX: (605) 867-1845 EMAIL: gstepirdb@gwtc.net	Water Quality Wetlands Program: Vacant	Delinda Simmons
Paute Indian Tribe of Utah Cedar City, UT 84720	Lora Tom Chairwoman Paute Indian Tribe of Utah 440 North Paute Drive PHONE: (435) 586-1112 FAX: (435) 586-7388 EMAIL: None	Vacant Paute Indian Tribe of Utah 440 North Paute Drive PHONE: (435) 586-1112 X133 FAX: (435) 586-7388 EMAIL: None	Water Quality: Wetlands Program: Vacant	Gerald Kanosh
Rosebud Sioux Tribe Rosebud, SD 57570	Rodney Bordaues President Rosebud Sioux Tribe P.O. Box 430 PHONE: (605) 747-2381 FAX: (605) 747-2905 EMAIL: None	Syed Hug Director Office of Water Resources Rosebud Sioux Tribe P.O. Box 430 PHONE: (605) 747-2559 FAX: (605) 747-5039 EMAIL: SHUQ@siscangu.com	Water Quality: Wetlands Program: Vacant	Vacant
Rosebud Indian Reservation				
Sisseton-Wahpeton Oyate Agency Village, SD 57262-0509 Lake Traverse Reservation	Michael Salvage, Sr. Chairman Sisseton-Wahpeton Oyate P.O. Box 509 PHONE: (605) 698-3911 FAX: (605) 698-7907 EMAIL: None	Myrna Thompson Office Administrator Sisseton Wahpeton Oyate P.O. Box 509 PHONE: (605) 698-4998/800-338-3180 FAX: (605) 698-4999 EMAIL: mcgeman@sbtic.net	Water Quality: Wetlands Program: Vacant	Steve Jackson
Skull Valley Band of Goshute Indians Salt Lake City, UT 84115 2480 S. Main St. #110 (Physical Office Site)	Lawrence Bear Chairman Skull Valley Band of Goshute Indians 2480 S. Main Street #110 PHONE: (801) 484-4422 FAX: (801) 484-5511 EMAIL:	Nicole Howell, Environmental Contact Skull Valley Band of Goshute Indians 2480 So Main Street #110 PHONE: (801)484-4422 FAX: (801) 484-5511 EMAIL:	Water Quality: Wetlands Program: Vacant	Vacant
Southern Ute Indian Tribe Ignacio, CO 81137	Clement Frost Chairman Southern Ute Indian Tribe P.O. Box 737 PHONE: (970) 563-0100 FAX: (970) 563-0396 EMAIL: None	Ethan Hinkley, Division Head - Environmental Southern Ute Indian Tribe P.O. Box 737 PHONE: (970) 563-0135 FAX: (970) 563-0384 EMAIL: ehinkley@southern-ute.nsn.us	Water Quality: Wetlands Program: Vacant	Michiko (Mich) Burns
Southern Ute Reservation				
Spirit Lake Tribe Fort Totten, ND 58335	Myra Pearson Chairwoman Spirit Lake Tribe P.O. Box 359 PHONE: (701) 766-4626 FAX: (701) 766-4126 Mpearson@spiritlakenation.com	Silas Ironheart Tribal Environmental Admin. Spirit Lake Tribe P.O. Box 99 PHONE: (701) 766-1259 FAX: (701) 766-1218 EMAIL: ironheart@spiritlakenation.com	Water Quality: Wetlands Program: Vacant	Oliver Gourd Jr.

Tribal Contacts in U.S.E.P.A. Region 8

Current as of May 8, 2007

Contacts and program status are subject to change
Contact the Tribe for current information

Standing Rock Sioux Tribe Fort Yates, ND 58538	Ron His Horse is Thunder Chairman Standing Rock Sioux Tribe P.O. Box D PHONE: (701) 854-8500 FAX: (701) 854-8595 EMAIL: None	Reuben White Bull - Acting Director of Environmental Department Standing Rock Sioux Tribe P.O. Box 5516 PHONE: (701) 854-3823/3824 FAX: (701) 854-3841 EMAIL: reubenwhitebull_ir@hotmail.com	Water Quality: Wetlands Program: Martin Gipp Vacant
Three Affiliated Tribes New Town, ND 58763	Marcus Wells, Jr. Chairman Fort Berthold Tribal Business Council 404 Frontage Road PHONE: (701) 627-4781 FAX: (701) 627-4884 EMAIL: chairman@mhanation.com	Elton Spotted Horse - Administrator Environmental Division Three Affiliated Tribes 204 West Main PHONE: (701) 627-4569 FAX: (701) 627-2917 EMAIL: esspottedhorse@mhanation.com	Water Quality: Wetlands Program: Jarret Wirtz Archie Gronvold Archie Gronvold
Turtle Mountain Band of Chippewas Belcourt, ND 58316	David Brien, Chairman Turtle Mountain Band of Chippewas P.O. Box 900 PHONE: (701) 477-2600 FAX: (701) 477-6836 EMAIL: None	Rhonda Azure Director of Tribal Environmental Program Turtle Mountain Band of Chippewas P.O. Box 730 PHONE: (701) 477-2666 FAX: (701) 477-9398 EMAIL: r_azure@mepea@yahoo.com	Water Quality: Wetlands Program: Bart Powaukee Vacant
Turtle Mt. Band of Chippewas of ND Reservation	Steven Ceaspooh - Councilman Phillip Chinburas - Councilman Frances Poowegup - Councilwoman Irene Cuch - Councilwoman Ronald Groves - Councilman Curtis Ceaspooh - Councilman Uintah & Ourray Business Committee P.O. Box 190 Phone: (435) 722-5141 Fax: (435) 722-2374 EMAIL: None	Shaun Chapoose - Director Land Use Department Ute Indian Tribe P.O. Box 460 PHONE: (435) 725-4802 FAX: (435) 722-2083 EMAIL: SHAUNT84026@yahoo.com Cell: 435-823-7218	Water Quality: Wetlands Program: Scott Clow Sarah Eastin Scott Clow
Ute Indian Tribe Fort Duchesne, UT 84026			
Ute Mountain Ute Tribe Towaoc, CO 81334	Manuel Heart Chairman Ute Mountain Ute Tribe P.O. Box 248 PHONE: (970) 564-5602 FAX: (970) 564-5613 EMAIL: mheart@utemountain.org	Tom Rice - Director of Environmental Programs Ute Mountain Ute Tribe P.O. Box 448 PHONE: (970) 564-5432 FAX: (970) 565-2651 EMAIL: umutenv@fline.net	Water Quality: Wetlands: Scott Clow WQS/Section 401 Treatment as a State 401 Contact Scott Clow
Ute Mountain Reservation			
Yankton Sioux Tribe Marty, SD 57361	Robert Cournoyer, Chairman Yankton Sioux Tribal Business & Claims Committee P.O. Box 248 PHONE: (605) 384-3641 FAX: (605) 384-5687 EMAIL: None	Jim Stone, Jr. Director Environmental Protection Program Yankton Sioux Tribe P.O. Box 248 PHONE: (605) 384-3641 FAX: (605) 384-5687 EMAIL: ystepdw@charles-mix.com	Water Quality: Wetlands Program: Robert Abdo Vacant
Yankton Sioux Tribe Reservation			

Region 8 Tribes with Treatment as State Status for CWA Section303 and Section 401 Current as of May 8, 2007

Assiniboine & Sioux Tribes Poplar, MT 59255 Fort Peck Indian Reservation	John Morales Chairman Fort Peck Tribal Exec. Board P.O. Box 1027 PHONE: (406) 768-5155 FAX: (406) 768-5478 EMAIL: None	Deb Madison Environmental Program Manager Assiniboine & Sioux Tribes P.O. Box 1027 PHONE: (406) 768-5155x399 FAX: (406) 768-5606 EMAIL: 2horses@nemontel.net	Water Quality: Wetlands Program: WQS/401 Treatment as a State 401 Contact Sandra White Eagle (406) 768-5155 x362 2paints@memontel.net
Confederated Salish & Kootenai Tribes Pablo, MT 59855-0278 Flathead Reservation	James Steele Jr. Chairman Confederated Salish & Kootenai Tribes P.O. Box 278 PHONE: (406) 675-2700x1230 FAX: (406) 675-2806 EMAIL: csktcouncil@cskt.org	Richard Janssen Mgr. Division of Environmental Protection 301 Main Street, Polson, MT 59860 PHONE: (406) 883-2888 FAX: (406) 883-2896 EMAIL: rich@cskt.org	Water Quality: Wetlands Program: WQS/401 Treatment as a State 401 Contact: Mike Durglo 406-675-2700 ext.7227 miked@cskt.org
Northern Cheyenne Tribe Lame Deer, MT 59043 Northern Cheyenne Indian Reservation	Eugene Little Coyote President Northern Cheyenne Tribe P.O. Box 128 PHONE: (406) 477-6284 FAX: (406) 477-6210 EMAIL: None	Joe Walks Along Jr., Acting Director Environmental Protection Dept. Northern Cheyenne Tribe P.O. Box 128 PHONE: (406) 477-6508 or 6506 FAX: (406) 477-8294 EMAIL: envirovuz@hotmail.com	Water Quality: Wetlands Program: WQS/Section 401 Treatment as a State 401 Contact Joe Walks Along, Jr. (406) 477-6508 x103 ncwaterquality@hotmail.com
Ute Mountain Ute Tribe Towaoc, CO 81334 Ute Mountain Reservation	Manuel Heart Chairman Ute Mountain Ute Tribe P.O. Box 248 PHONE: (970) 564-5602 FAX: (970) 564-5613 EMAIL: mheart@utemountain.org	Tom Rice – Director of Environmental Programs Ute Mountain Ute Tribe P.O. Box 448 PHONE: (970) 564-5432 FAX: (970) 565-2651 EMAIL: jrmutevny@fone.net	Water Quality: Wetlands: WQS/Section 401 Treatment as a State 401 Contact Scott Clow Sarah Eastin (970) 564-5433 scute@fone.net