



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 24 2017

REPLY TO THE ATTENTION OF:

WW-16J

Colonel Sam Calkins
District Engineer
St. Paul District, Corps of Engineers
180 5th Street East, Suite 700
St. Paul, Minnesota 55101

Re: Clean Water Act Section 401 Certification Decision for the 2017 Nationwide Permits and General Permit-15-R as Applied on Indian Reservations in Minnesota and Wisconsin

Dear Colonel Calkins:

The U.S. Environmental Protection Agency, Region 5 (EPA) has reviewed the Nationwide Permits (NWP) published in the Federal Register on January 6, 2017. The Corps of Engineers, St. Paul District (District), will reissue 42 of the NWPs for use in Minnesota and Wisconsin and revoke 10 other NWPs in both states. EPA has also reviewed General Permit-15-R (GP) as described in a Public Notice dated December 27, 2016, which the District will issue for use in Minnesota and Wisconsin.

EPA has reviewed the NWPs and GP as they apply within the exterior boundaries of Indian reservations in Minnesota and Wisconsin, in accordance with Section 401 of the Clean Water Act (33 USC § 1341). EPA has determined that the requirements for certification have been met, and hereby grants Section 401 certification with no conditions within the exterior boundaries of the following reservations:

Bois Forte Band of Chippewa
Mille Lacs Band of Chippewa
Prairie Island Community
Red Lake Band of Chippewa
Leech Lake Band of Ojibwe
Shakopee Mdewakanton Sioux Community
Upper Sioux Community
Lower Sioux Community
White Earth Band of Chippewa
Minnesota Chippewa Tribe
Forest Country Potawatomi Community
Ho-Chunk Nation
Lac Courte Oreilles Band of Ojibwe

Menominee Indian Tribe of Wisconsin
Oneida Tribe of Wisconsin
St. Croix Chippewa Indians of Wisconsin
Stockbridge-Munsee Community

Section 401 certification is hereby denied within the exterior boundaries of the following reservation, pending EPA's consultation with the tribe to consider any information regarding conditions which may be needed to achieve compliance with the purpose of the Act:

Red Cliff Band of Lake Superior Chippewa

If you have any questions, or if we can be of further assistance, please contact Janice Cheng of my staff at (312) 353-6424 or cheng.janice@epa.gov.

Sincerely,



Christopher Korleski
Director, Water Division

cc: Bill Baer, St. Paul District, Corps of Engineers
Jill Bathke, St. Paul District, Corps of Engineers