St. Croix Tribal Council

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St. Croix Casino
Turtle Lake
Hole In The Wall Casino
Danbury
Chippewa Corners Cafe
Little Turtle Hertel Express
Sand Lake Bingo
St. Croix Ojibwa Construction Co.

September 11, 2000

Bharat Mathur, Director
Air and Radiation Division (A-18J)
USEPA Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Dear Bharat Mathur,

I am writing to you concerning the 8-hour ozone air quality designation of the St. Croix tribal lands.

I understand that tribes are not required to make designations and that if designations are not made, USEPA, in consultation with the Tribe, will promulgate the designation it deems appropriate on behalf of the Tribe, as it would for states. I understand that EPA data suggests an attainment designation for St. Croix. I also understand that, under the Clean Air Act and the Tribal Authority Rule, St. Croix Tribe could in the future produce a Tribal Implementation Plan to develop and enforce ozone standards more stringent than the NAAQS.

The St. Croix Tribe will accept designation as an attainment area. However, I would like to voice the widely held objection to the treatment of tribes in a manner similar to states. Tribes are sovereign nations. The promulgation of standards by the USEPA in Indian country is an affront to this sovereignty.

Sincerely,

David Merrill, Tribal Chairman
St. Croix Chippewa Indians of Wisconsin