

QUAPAW TRIBE OF OKLAHOMA

P.O. Box 765
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July 28, 2016

Ron Curry
Regional Administrator
U.S EPA Region VI
1445 Ross Avenue – Suite 1200
Dallas, TX 75202-2733
(214) 665-2100
Curry.Ron@epa.gov

Re: Supplement to Application Memo

Dear Mr. Curry:

Over the last several months, we have met with several members of your Air Section staff via conference calls and emails in regards to the Tribe's request of treatment-in-a-similar-manner-as-a-state (TAS) eligibility to administer various regulatory programs and provisions under the Clean Air Act (the Act).

As a result of recent discussions during conference calls with EPA Region 6 Air Section and legal staff, the Tribe believes its authority to regulate air quality (§ 49.7(a)(3)) stems from its establishment of the Quapaw Tribe Environmental Protection Commission and its authority to enforce the laws of the Quapaw Tribe regarding the environment (Quapaw Tribe Resolution #61194A, as signed and dated June 11, 1994).

The Tribe would like to make clear that it only seeks TAS, at this time, on land that is of 100% tribal trust status. A map attached depicts tracts of land, which are 100% tribal trust. A listing of the land ownership (including legal description, acreage, and ownership interest for each tract in trust) within the Tribe's jurisdictional area is attached. As some of the Tribe's trust land exists in the State of Kansas (EPA Region 7), the Tribe would also like to include this land in the TAS application at this time. The map, and the list of tribal tracts, will provide the documentation necessary for the Tribe's trust land in the State of Kansas and its inclusion in this TAS application.

In the most recent version of the Tribe's TAS application the Tribe was seeking TAS eligibility over restricted allotments. Although the Tribe has jurisdiction over restricted allotments, we (the Tribe) are hereby withdrawing those from the application in the interest of expediting its approval. However, the Tribe does not waive any of its rights concerning such lands and reserves the right to make application to EPA in the future to add them to lands under the Tribe's Clean Air Act TAS jurisdiction.

Also stemming from the recent discussions, the Tribe has made the decision to preserve its portion of the TAS application seeking TAS eligibility under Section 126 (a) and (b) of the Act.

Finally, it should be noted that the Tribe submitted a similar TAS application under Section 319 of the Clean Water Act, which resulted in approval of the application and eligibility to receive funding under the referenced section of the Clean Water Act.

Thank you for your time and consideration of the Quapaw Tribe's application for TAS eligibility. Please do not hesitate to call our office at (918) 238-3097 or email Tim Kent at tkent@quapawtribe.com with any questions or concerns you may have concerning this letter.

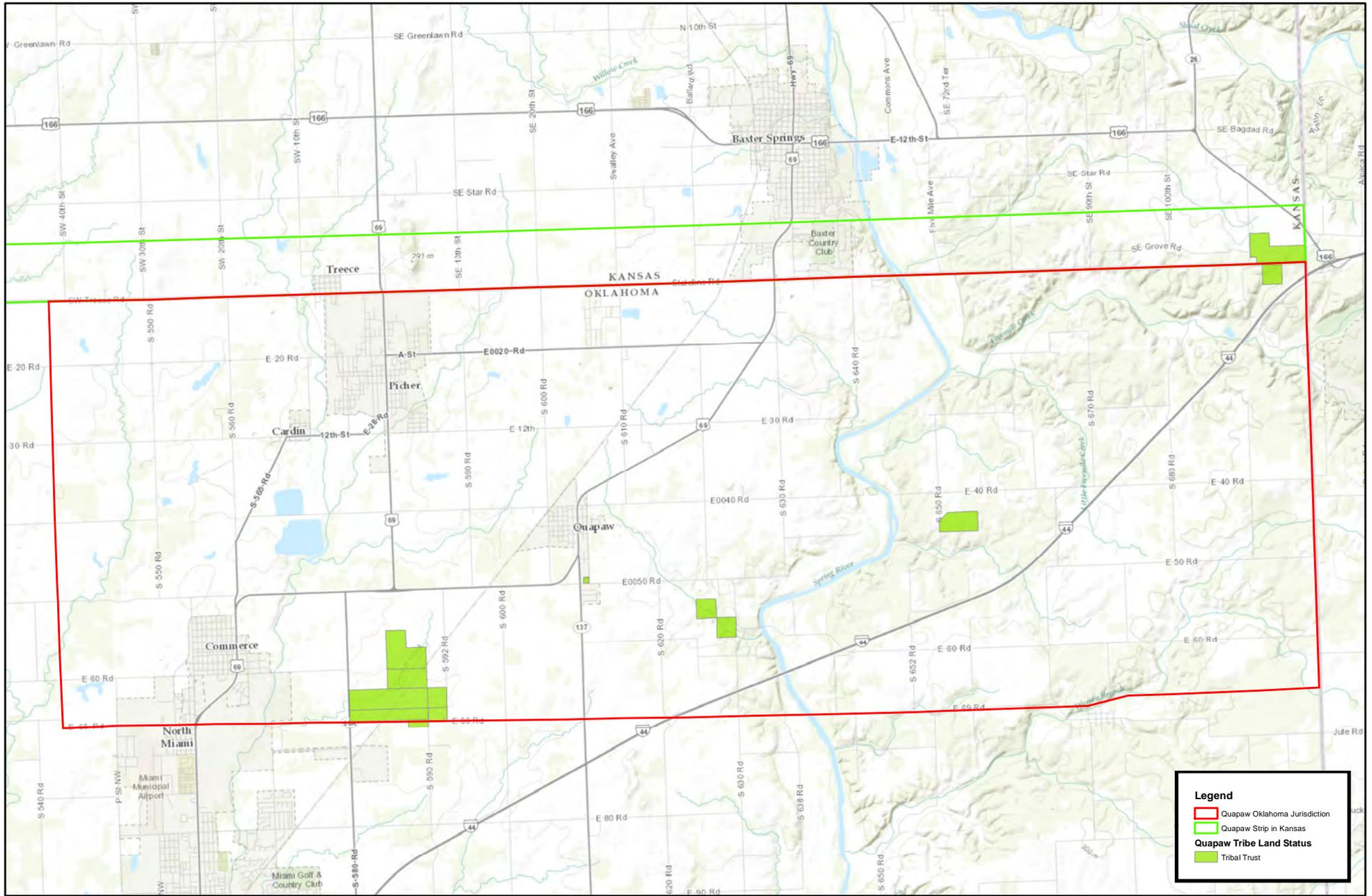
Sincerely,



John Berrey, Chairman
Quapaw Tribe of Oklahoma

Enclosures

Cc: Tim Kent, Quapaw Tribe of Oklahoma, Environmental Director
Steve Ward, Conner & Winters, LLP, Quapaw Tribal Counsel
Aunjane Gautreaux, U.S. EPA Region VI Project Officer



Quapaw Tribe Trust Property



**Quapaw Tribe of Oklahoma
Environmental Office**



Disclaimer: The Quapaw Tribe of Oklahoma makes no warranty for fitness of use for a particular purpose, express or implied, with respect to this map product. Every reasonable effort has been made to assure the accuracy of the maps and data provided nevertheless, some information may not be accurate. Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold the Quapaw Tribe harmless from and against any damage, loss or liability.



Contact Information	
Contact:	Craig Kreman
Phone:	918-542-1853
Date:	August 7, 2015

Following is a summary of the 100% Tribal Trust Land holdings within Quapaw Tribal jurisdiction.

Legal Description	Total Tract Acres	Property Rights	Original Allottee/Tract #
Lot 1 NWSW; Lot 2 NESW; Lot 3 NW SE; Lot 4 NESE all in S9-T28N-R23E; Lot 4 NW SW S10-T28N-R23E	138.79	Both- 100%	920 T 104
NESE S6-T28N-R23E	40.00	Surface- 100%	John Beaver 920 ST 150-B
NWSE; SSE S4-T28N-R23E and N NE S9-T28N-R23E	200.00	Both- 100%	Johnny Cold Spring 920 T 170
Lot 5 NESE Sec 9 T28N R23E	11.64	Both- 100%	920 T1053
S N of S9-T28N-R23E; SWNW of S10-T28N-R23E	200.00	Both- 100%	920 T 2000
Lot 99 SW $\frac{1}{4}$ NE $\frac{1}{4}$ in S6-T28N-R24E	39.44	Both-100.0%	Quapaw Tribe 920 T 2001
Lot 99 SE $\frac{1}{4}$ SW $\frac{1}{4}$ in S35 T29N-R23E	4.00	Surface-100.0%	Quapaw Tribe 920 ST 2002
Lot 99 S $\frac{1}{2}$ NW $\frac{1}{4}$ S34-T29N-R24E	75.00	Surface-100.0%	Quapaw Tribe 920 ST 2003
Lot 8 in S12-T35S-R25E	27.00	Surface-100.0%	920 ST 2004
Lot 4; Lot 5 & Lot 6 in S13-T35S-R25E	96.79	Surface-100.0%	920 ST 2004
Lot 10 aka SENW S17-T29N-R25E	39.26	Both- 100%	Meh No Bah 920 B 194
W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ S5-T28N-R24E	30.00	Both- 100%	Hogome Goodeagle 920 189-A

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