



The Confederated Tribes of the Colville Reservation
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Wednesday, July 13, 2016

Dennis McLerran
Regional Administrator
Environmental Protection Agency Region 10
1200 6th Ave., Suite 900
Seattle, WA. 98101

RE: Supplement to Colville Tribes' Treatment As State Application

Dear Mr. McLerran:

The Confederated Tribes of the Colville Reservation (CTCR) have a pending application for Treatment in a Manner Similar to a State for Sections 303 and 401 of the Clean Water Act, originally submitted January 3, 2014. Given EPA's reinterpretation of Section 518 of the Act, CTCR is providing with this letter supplemental information to our application.

In addition to information provided in our original application regarding the Tribe's inherent authority to regulate water quality, we now add the following: A basis for the Tribe's assertion of authority under this application is the express congressional delegation of authority to eligible Indian tribes to administer regulatory programs over their reservations contained in section 518 of the Clean Water Act. This authority is described in the U.S. Environmental Protection Agency's final interpretive rule, Revised Interpretation of Clean Water Act Tribal Provision, 81 FR 30183, May 16, 2016. There are no limitations or impediments to the Tribe's authority or ability to effectuate the delegation of authority from Congress as described in this application. This authority is in addition to the inherent authority of CTCR over lands within the external boundaries of the Colville Indian Reservation (information provide previously).

We state in our application that CTCR continues to assert authority over certain trust parcels outside of the formal boundary of the Colville Indian Reservation. At this time we wish to withdraw these parcels from this application for Treatment in a Manner Similar to a State and continue the application only as it pertains to the lands within the exterior boundaries of the Colville Indian Reservation.

Sincerely,

Gary Passmore
Director
Office of Environmental Trust

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CC: Ted Yackulic, Jim Zokan, Charissa Eichman, Todd Thorn