



REGION 10 ADMINISTRATOR

SEATTLE, WA 98101

September 30, 2026

The Honorable Donna Thompson
Chairwoman
Fort Hall Business Council
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83203

Dear Chairwoman Thompson:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's (the EPA or the Agency) intended approach for finalizing area designations for the Shoshone-Bannock Tribes of the Fort Hall Reservation for the 2024 primary annual fine particulate matter (PM_{2.5}) National Ambient Air Quality Standard (NAAQS or standard).

On February 7, 2024, the EPA promulgated a revised primary annual PM_{2.5} NAAQS of 9.0 micrograms per cubic meter (µg/m³).¹ The EPA's promulgation initiated the designations process in accordance with Clean Air Act section 107, which is intended to identify areas of the country as either meeting or not meeting the NAAQS.² Under CAA section 107(d)(1)(A), the Governor of each State was required to submit a list of initial designations for all areas in their State by February 7, 2025. While not required under the CAA, Tribes are encouraged to submit initial area designations for their lands. The EPA did not receive an initial designation from your Tribal Nation.

On July 17, 2026, the Northern District Court of California ordered the EPA to publish final designations for all areas of the country no later than February 6, 2027.³ The EPA is appealing against that court order. On November 24, 2025, the EPA filed a motion asking the U.S. Court of Appeals for the D.C. Circuit to vacate the 2024 PM_{2.5} NAAQS thereby relieving the EPA of the obligation to make designations in furtherance of an unlawful standard. The D.C. Circuit subsequently upheld the 2024 PM_{2.5} NAAQS, but on August 28, 2026, State and industry petitioners filed two petitions with the United States Supreme Court for writ of certiorari, seeking to appeal that decision. Absent relevant

¹ 89 FR 16202 (Mar. 6, 2024).

² CAA section 107(d)(1)(A)(i)–(iii) defines: (i) nonattainment, any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the NAAQS, (ii) attainment, any area (other than an area identified in clause (i)) that meets the NAAQS, or (iii) unclassifiable, any area that cannot be classified on the basis of available information as meeting or not meeting the NAAQS. The EPA uses the category of attainment/unclassifiable for an area that is meeting the NAAQS and does not contribute to ambient air quality in a nearby area that does not meet the NAAQS.

³ *All. of Nurses for Healthy Env'ts v. Zeldin*, No. 26-cv-03118-HSG.

action from the judiciary, the EPA intends to finalize designations for the 2024 annual PM_{2.5} NAAQS based on the most recent monitoring data (2023-2025 data) and any other relevant information available at that time. The majority of initial designations were based on 2021–2023 data. That being the case, we recognize that the EPA is evaluating two additional years of data beyond those available at the time of initial area designations submissions.

Our preliminary review of the 2023–2025 monitoring data indicates that your Tribes have no monitors with design values that do not meet the 2024 annual PM_{2.5} NAAQS nor do your Tribes include portions of multi-State Core-Based Statistical Areas or Combined Statistical Areas that have monitors with design values that may not meet the 2024 annual PM_{2.5} NAAQS. As such, the EPA intends to designate the entire Tribal area of the Shoshone-Bannock Tribes of the Fort Hall Reservation as “attainment/unclassifiable” for the 2024 annual PM_{2.5} NAAQS.

If you have additional information that you would like the EPA to consider for final designations, please submit it to the public docket for these designations, EPA-HQ-OAR-2024-0078, located at www.regulations.gov. Submission of additional information no later than November 1, 2026, will help ensure the EPA has sufficient time to take this information into account in the Agency’s final designation decision.

Should you have any questions, or desire additional EPA consultation, please contact me at (206) 553-4470. Alternatively, you may have a member of your staff reach out to Angeles Herrera at (206) 553-4688.

Sincerely,

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Emma Pokon
Regional Administrator

Enclosure

Shoshone-Bannock Tribes of the Fort Hall Reservation’s Initial Area Designation Submission for the 2024 Annual PM_{2.5} NAAQS and Counties that Contain Violating Monitors

cc: Mr. Preston Buckskin
Director
Land Use Department

Ms. Karen Osborne
Manager
Air Quality

**Shoshone-Bannock Tribes of the Fort Hall Reservation's Initial Area Designation Submission for the
2024 Annual PM_{2.5} NAAQS and Counties that Contain Violating Monitors**

Identified Areas	Identified CBSA	Tribal Initial Designation Category	Tribal Initial Designation Boundary	Does Tribal Land contain a valid monitor with a DV that may not meet the NAAQS?	Is the Tribal Land part of a CBSA that has a monitor that may not meet the NAAQS?
Bingham County Pocatello County*	N/A	No designation submitted	No designation submitted	No	No

*The EPA intends to designate the rest of Tribal Lands attainment/unclassifiable.