



LUMMI INDIAN BUSINESS COUNCIL

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December 3, 2009

Mr. Michael J. Lidgard, Manager
NPDES Permits Unit
EPA Region 10, OWW-130
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

**SUBJECT: Lummi Nation Clean Water Act Section 401 Certification for the
NPDES General Permit for Storm Water Discharges from
Construction Activities – Permit No. WAR10-000I**

Dear Mr. Lidgard:

In response to your letter dated November 6, 2009 and Section 401 of the Clean Water Act (CWA), the Lummi Natural Resources Department hereby certifies that the proposed modification of the National Pollutant Discharge Elimination System (NPDES) General Permit for storm water discharges from construction activities (CGP) in Indian Country in the State of Washington (Permit No. WAR10-000I) to extend the permit expiration date from June 30, 2010 to June 30, 2011 will comply with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the CWA and Title 17 of the Lummi Code of Laws, as amended. This certification is made with the understanding that the modified permit includes the same Lummi specific conditions that the EPA placed in the 2008 permit in response to the 2008 Lummi Section 401 certification (see Part 10.F.5.b). This certification remains valid through June 30, 2011.

For further coordination on this proposed issuance of the CGP, please contact Lummi Water Resources Manager Jeremy Freimund (360-384-2212).

Sincerely,

Merle Jefferson, Executive Director
Lummi Natural Resources Department

cc Richard Jefferson, LIBC Planning Department Director
Leroy Deardorff, LIBC Environmental Program Director
Jeremy Freimund, Lummi Water Resources Division
Peter Frye, Lummi Planning Department