



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

MAR 5 2007

Reply to
Attn Of: 140

Evelyn Jefferson, Chairman
Lummi Indian Business Council
2616 Kwina Road
Bellingham, Washington, 98226

RE: Approval of TAS for Water Quality Standards

Dear Chairman Jefferson:

I am pleased to inform you that the United States Environmental Protection Agency Region 10 (EPA) has approved the Lummi Nation as eligible under Section 518 of the Federal Clean Water Act (CWA) and EPA regulations at 40 C.F.R. Part 131 for "treatment in the same manner as a State" (TAS). The Tribe is eligible for TAS to administer the water quality standards program under section 303(c) of the CWA and to conduct water quality certifications under section 401 of the CWA for those waters within the Lummi Nation Reservation (Reservation). I have enclosed a copy of the signed decision document.

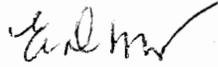
EPA has reviewed the application by the Lummi Nation for TAS under Section 518 of the CWA for the purpose of administering water quality standards and certifying that discharges comply with those water quality standards. In making this decision, EPA considered comments provided by the State of Washington, including comments from the public that were forwarded to EPA by the State.

EPA will make it a high priority to provide timely reviews of the water quality standards that the Tribe adopts and submits for EPA approval. When approved those Tribal standards would apply under section 303(c) of the CWA to all surface waters within the Reservation.

We recognize that this application has been pending with EPA for some time, and we appreciate the many efforts the Tribe and its staff have made to address issues that have arisen and to work with EPA. EPA will continue to be ready to assist the Tribe as it develops and implements its water quality standards.

If you have any questions, you can contact me at (206) 553-1234, or your staff can contact Robert Hartman at (206) 553-0029 or Sally Brough at (206) 553-1295.

Sincerely,



Elin D. Miller
Regional Administrator
U.S. EPA Region 10

Enclosure

cc: Jay J. Manning, Director, Washington Department of Ecology