



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

September 5, 2008

The Honorable Alonzo A. Coby
Chairman of the Fort Hall Business Council
Shoshone-Bannock Tribes
Post Office Box 306
Fort Hall, Idaho 83203

Re: Approval of the Shoshone-Bannock Tribes for Treatment in the Same Manner as a State (TAS) for Sections 303(c) and 401 of the Clean Water Act

Dear Chairman Coby:

The purpose of this letter is to let you know that the U.S. Environmental Protection Agency Region 10 has completed our review of the Shoshone-Bannock Tribes (Tribes) application for "treatment in the same manner as a state (TAS)." I would like to inform you that EPA approves your application for TAS under Section 518(e) of the Federal Clean Water Act (CWA).

After reviewing the application and comments provided by the State of Idaho, EPA finds that the Tribes meet the eligibility criteria of Section 518(e) of the CWA and EPA regulations at 40 CFR § 131.8(a). Therefore, the Shoshone-Bannock Tribes are eligible to adopt water quality standards and seek EPA approval, pursuant to Section 303(c) of the CWA, and to certify that discharges comply with those water quality standards, pursuant to Section 401 of the CWA, for all surface waters of the Fort Hall Reservation. Enclosed is a copy of EPA's decision document for this TAS approval.

I also have signed the Memorandum of Understanding (MOU) for Water Quality Standards between the Tribes, the Idaho Department of Environmental Quality (IDEQ), and EPA. EPA strongly encourages the type of inter-governmental coordination that this MOU establishes so that the Tribes, IDEQ, and EPA can most effectively work together to plan and administer water quality programs that protect the health, safety, and welfare of all residents of southeastern Idaho. I am enclosing three copies of the MOU that I have signed, and ask that you take action on it on behalf of the Tribes and then forward the MOU to Toni Hardesty to sign on behalf of IDEQ.

We appreciate all of the efforts of your staff during EPA's review to respond to questions and to provide additional information to supplement the initial application. We are very pleased with the way the Tribes and IDEQ have cooperated with us as we reviewed the TAS application and discussed the water quality standards that the Tribes wish to establish. As the Tribes move forward with adopting water quality standards and seeking EPA approval, my staff is looking forward to working with the Tribes on this project. If you have any questions, you can contact me at (206) 553-1234, or you can contact Sally Brough, Tribal Water Quality Standards Coordinator, at (206) 553-1295 or Rich McAllister, Regional Counsel, at (206) 553-8203.

Sincerely,



Elin D. Miller
Regional Administrator

Enclosures:

1. Decision Document
2. Appendix I – Findings of Fact
3. Appendix II – Response to Comments
4. Memorandum of Understanding for Water Quality Standards

cc: Toni Hardesty, Idaho Department of Environmental Quality
Elese Teton, Shoshone-Bannock Tribes Water Resources Department