



**NORTHERN CHEYENNE TRIBE
ENVIRONMENTAL PROTECTION DEPARTMENT
P.O. BOX 128
LAME DEER, MT 59043**

COE-HLNA

APR 20 2012

April 20, 2012

Mr. Todd N. Tillinger, P.E.
Montana Program Manager
US Army Corps of Engineers
Omaha District - Regulatory
10 West 15th Street, Suite 2200
Helena, MT 59626

Re: US ACOE Nationwide Permit Section 401 Water Quality Certification

Dear Mr. Tillinger,

The Northern Cheyenne Tribe Environmental Protection Department has reviewed the notice published in the February 21, 2012 Federal Register on behalf of the Army Corps of Engineers regarding the reissuance of nationwide permits and issuance of new permits, general conditions, and definitions. The Environmental Protection Department's waiver or denial of each nationwide permit is summarized below:

The Environmental Protection Department (EPD) **waives** 401 certification on Nationwide Permits 1, 2, 4, 5, 8, 9, 10, 22, 24, 28, 32, 34, 36, and 48. The EPD requests notification via email or regular mail of any activities occurring in the permits named above.

The Environmental Protection Department **denies** 401 certification on Nationwide Permits 3, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 25, 27, 29, 30, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 49, 50, 51, and 52.

I feel the determinations listed above will provide the necessary regulatory mechanisms to protect water quality within the exterior boundaries of the Northern Cheyenne Reservation. If you have any questions, please do not hesitate to contact me at (406) 477-6506 ext.101.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charlene Alden".

Charlene Alden, EPD Director
Northern Cheyenne Tribe