Bad River Band Of Lake Superior Tribe Of Chippewa Indians

CHIEF BLACKBIRD CENTER P.O. Box 39 • Odanah, Wisconsin 54861

May 7, 2014

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DNR
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SECRETARY

The Honorable Scott Walker
Governor of Wisconsin
115 East Capitol
Madison, WI 53702

COPY

Notice of Federal Clean Air Act Redesignation

The Bad River Band of Lake Superior Chippewa notified the U.S. Environmental Protection Agency on August 24, 2012 of its intent to redesignate the air quality status on the Reservation in northern Wisconsin from Class II to Class I. This proposed change will help the Tribe protect its air quality and allow the Tribe to develop land use plans that are compatible with Tribal cultural beliefs and its renewable resources. This letter is the formal public notice as required by 40 CFR Part 52.21 to potentially affected federal, state, and local governmental agencies requesting consultation and comments on the proposed redesignation.

The Federal Clean Air Act provides a system of "air quality classifications" which allow State and Indian Governing bodies an opportunity to implement local land use and industrial growth goals. There are three classes, each differing in the amount of new growth that will be permitted before unacceptable deterioration of existing air quality would occur. Class I areas allow for the smallest amounts of allowable increased air pollution. Class II areas can accommodate moderate to heavy industrial growth, while Class III areas provide for the largest amount of development.

The Bad River Band of Lake Superior Chippewa is proposing to protect its air quality by changing the classification from Class II to Class I. This does not mean that industrial and economic growth can no longer occur in the areas near the Reservation. It does mean that the Tribe will have the ability to help determine the level that the air on the Reservation can be deteriorated. The Tribe will work together with the Federal, State, and local agencies so that economic growth can occur in harmony with the air quality we currently enjoy.

Under the redesignation process described in 40 CFR Part 52.21, three important steps in the redesignation process must occur:

1. Tribal request to U.S. EPA must be made publically known in the surrounding affected area, and consultation with the Federal agencies, and State and local governments must occur.

2. A discussion of the reasons for the redesignation must be prepared which will analyze the effects this redesignation will have on the health, environment, economic, social, and energy impacts of the redesignation area. This report must be made available at least 30 days prior to the mandatory public hearing held on the proposed redesignation.
3. A public hearing must be held, comments taken on the redesignation, and then addressed.

It is very important that the Bad River Band notify Federal agencies, and consult with the State of Wisconsin and local governments during this preliminary process. The Tribe is confident that the Federal agencies, and State and local governments have questions related to this redesignation.

Please contact our Air Quality Specialist, Nathan Kilger, at airquality@badriver-nsn.gov or 715-682-7123 x 1555 by May 16, 2014 to discuss meeting details and confirm the Agency's attendance.

Sincerely,

Mike Wiggins, JR
Tribal Chairman
Bad River Band of Lake Superior Chippewa
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