

QUAPAW TRIBE OF OKLAHOMA

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August 14, 2015

Ron Curry
Regional Administrator
U.S EPA Region VI
1445 Ross Avenue – Suite 1200
Dallas, TX 75202-2733
(214) 665-2100
Curry.ron@epa.gov

Re: Supplement to Application Memo

Dear Mr. Curry:

On May 1, 2015, Tim Kent, Environmental Director and Craig Kreman, Assistant Environmental Director of the Quapaw Tribe of Oklahoma (Tribe) Environmental Office met with several members of your Air Section staff (as well as Office of General Counsel) via conference call in regards to the Tribe's request of treatment-in-a-similar-manner-as-a-state (TAS) eligibility to administer various provisions under the Clean Air Act (the Act).

As a result of the discussions during this conference call with EPA Region 6 Air Section staff, the tribe believes its authority to regulate air quality (§ 49.7(a)(3)) stems from its establishment of the Quapaw Tribe Environmental Protection Commission and its authority to enforce the laws of the Quapaw Tribe regarding the environment (Quapaw Tribe Resolution #61194A, as signed and dated June 11, 1994).

As part of Section 3.A. **Geographical Area** (§ 49.7(a)(3)(i)), the tribe would like to make clear that it only seeks TAS, at this time, on land that is of 100% tribal trust status. A map attached depicts tracts of land, which are 100% tribal trust. A listing of the land ownership (including legal description, acreage, and ownership interest for each tract in trust) within the tribe's jurisdictional area is attached.

As part of Section 3.B. **Statement of tribe's Legal Counsel of the Basis for the tribe's Assertion of Authority** (§ 49.7(a)(3)(ii)), the tribe would like to make clear that the first paragraph in this section shall state "The State of the Tribe's Legal Counsel (attached as **Appendix C**) includes support documentation that provides historical context for the tribe's position on the boundaries of the Quapaw Tribe of Oklahoma." Any reference to **Appendix B** in this section shall be dismissed.

As some of the tribe's trust land exists in the State of Kansas (EPA Region 7), the tribe would also like to include this land in the TAS application at this time. The map, and the list of tribal tracts, will provide the documentation necessary for the tribe's trust land in the State of Kansas and its inclusion in this TAS application.

The Tribe has submitted, in the past, a similar application under Section 319 of the Clean Water Act, in which it was determined by EPA that the tribe can receive funding under the above mentioned section of the Clean Water Act.

Thank you for your time and consideration of the Quapaw Tribe's application for TAS eligibility. Please do not hesitate to call our office at (918) 542-1853 or email Tim Kent at tkent@quapawtribe.com with any questions or concerns you may have concerning this letter.

Sincerely,



John Berrey, Chairman
Quapaw Tribe of Oklahoma

Enclosures

Cc: Tim Kent, Quapaw Tribe of Oklahoma, Environmental Director
Steve Ward, Conner & Winters, LLP, Quapaw Tribal Counsel
Aunjaneé Gautreaux, U.S. EPA Region VI Project Officer

Following is a summary of the 100% Tribal Trust Land holdings within Quapaw Tribal jurisdiction.

Legal Description	Total Tract Acres	Property Rights	Original Allottee/Tract #
Lot 1 NWSW; Lot 2 NESW; Lot 3 NW SE; Lot 4 NESE all in S9-T28N-R23E; Lot 4 NW SW S10-T28N-R23E	138.79	Both- 100%	920 T 104
NESE S6-T28N-R23E	40.00	Surface- 100%	John Beaver 920 ST 150-B
NWSE; SSE S4-T28N-R23E and N NE S9-T28N-R23E	200.00	Both- 100%	Johnny Cold Spring 920 T 170
Lot 5 NESE Sec 9 T28N R23E	11.64	Both- 100%	920 T1053
S N of S9-T28N-R23E; SWNW of S10-T28N-R23E	200.00	Both- 100%	920 T 2000
Lot 99 SW ¹ / ₄ NE ¹ / ₄ in S6-T28N-R24E	39.44	Both-100.0%	Quapaw Tribe 920 T 2001
Lot 99 SE ¹ / ₄ SW ¹ / ₄ in S35 T29N-R23E	4.00	Surface-100.0%	Quapaw Tribe 920 ST 2002
Lot 99 S ¹ / ₂ NW ¹ / ₄ S34-T29N-R24E	75.00	Surface-100.0%	Quapaw Tribe 920 ST 2003
Lot 8 in S12-T35S-R25E	27.00	Surface-100.0%	920 ST 2004
Lot 4; Lot 5 & Lot 6 in S13-T35S-R25E	96.79	Surface-100.0%	920 ST 2004
Lot 10 aka SENW S17-T29N-R25E	39.26	Both- 100%	Meh No Bah 920 B 194
W ¹ / ₂ NW ¹ / ₄ SE ¹ / ₄ ; SE ¹ / ₄ NW ¹ / ₄ SE ¹ / ₄ S5-T28N-R24E	30.00	Both- 100%	Hogome Goodeagle 920 189-A

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Contact Information

Contact: Craig Kreman
 Phone: 918-542-1853
 Date: August 7, 2015

Quapaw Tribe Trust Property



**Quapaw Tribe of Oklahoma
 Environmental Office**

Disclaimer: The Quapaw Tribe of Oklahoma makes no warranty for fitness of use for a particular purpose, express or implied, with respect to this map product. Every reasonable effort has been made to assure the accuracy of the maps and data provided nevertheless, some information may not be accurate. Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold the Quapaw Tribe harmless from and against any damage, loss or liability.