



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

March 06, 2017

Robert Cole, Acting Montana Program Director  
US Army Corps of Engineers, Omaha District  
Helena Regulatory Office  
10 West 15th Street, Suite 2200  
Helena, MT 59626

*Re: US ACOE Nationwide Permit Section 401 Water Quality Certification*

Dear Mr. Cole:

The Northern Cheyenne Tribe Department of Environmental Protection and Natural Resources (NC DEP NR) has reviewed the notice published in the January 06, 2017 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 Department of Environmental Protection and Natural Resources waiver or denial of each nationwide permit is summarized below:

The Northern Cheyenne Tribe Department of Environmental Protection and Natural Resources (NC DEP NR) **waives** 401 certification on Nationwide Permits 1, 2, 3, 4, 5, 7, 8, 9, 10, 12, 13, 14, 22, 28, 32, 34, 36, 48, 54. The EPD requests notification via email or regular mail of any activities occurring in the permits named above.

The (NC DEP NR) **denies** 401 certification on Nationwide Permits, 6, 11, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 27, 29, 30, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, and 53.

Upon review 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 my office at (406) 477-6506 ext.101.

Sincerely,

A handwritten signature in cursive script that reads "Charlene Alden".

Charlene Alden, DEP NR Director  
Northern Cheyenne Tribe

Cc: Shanny Spang Gion, Water Resources Administrator, NC DEP NR  
Joe Walksalong, Jr., Water Quality Coordinator NC DEP NR