



PUEBLO OF ISLETA
P. O. BOX 1270, ISLETA, NM 87022

CERTIFIED U.S. MAIL, RETURN RECEIPT

March 3, 2017

Allan Steinle
Chief, Regulatory Division
Albuquerque District
U.S. Army Corps of Engineers
4101 Jefferson Plaza NE
Albuquerque, NM 87109
Allan.e.steinle@usace.army.mil

Refer to: 2017 Nationwide Permits
Clean Water Act Section 401 Water Quality Certification

Dear Mr. Steinle,

The Pueblo of Isleta hereby submits this letter pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341, and 40 C.F.R. Part 121, Water Quality Certification by a State or Indian Tribe, pursuant to the Pueblo of Isleta's Treatment as a State designation by U.S. EPA for water quality certification of federal permits.

The Pueblo of Isleta waives Clean Water Act (CWA) Section 401 water quality certification for the following 2017 Nationwide Permits (hereinafter "NWP" or "NWPs"):

- 1 Aids to Navigation
- 2 Structures in Artificial Canals
- 8 Oil and Gas Structures on the Outer Continental Shelf
- 9 Structures in Fleeting and Anchorage Areas
- 10 Mooring Buoys
- 11 Temporary Recreational Structures
- 21 Surface Coal Mining Activities
- 22 Removal of Vessels
- 28 Modifications of Existing Marinas
- 34 Cranberry Production Activities
- 35 Maintenance Dredging of Existing Basins
- 48 Existing Commercial Shellfish Aquaculture Activities
- 49 Coal Remining Activities
- 54 Living Shorelines



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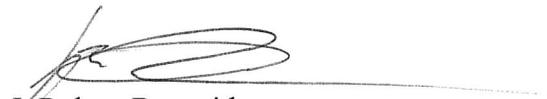
The Pueblo of Isleta withholds water quality certification of NWP's 26 and 47, which are Reserved.

In order to ensure attainment of the Pueblo of Isleta's water quality standards or other tribal law relating to water quality during construction of a project or the life of a project conducted or completed under the 2017 NWP's, the Pueblo of Isleta denies water quality certification for NWP's the Pueblo of Isleta has not waived (refer to paragraph 2 of this letter) based on the authority in § 401 ("a federal agency cannot issue a permit or license for an activity that may result in a discharge to waters of the U.S. until the state or tribe where the discharge would originate has granted or waived §401 certification."). Accordingly, for projects within the exterior boundaries of the Pueblo of Isleta where water quality certification is denied, the prospective permittee must receive an individual permit.

The Pueblo of Isleta hereby waives individual water quality certification for the NWP's in the event of an immediate emergency that threatens human life and property so that the situation can be corrected immediately.

Sincerely

PUEBLO OF ISLETA



J. Robert Benavides
Governor

cc: Shawna Ballay, Public Services Department Director POI17501@isletapueblo.com
Ramona M. Montoya, Environment Division Manager POI36871@isletapueblo.com
Pueblo of Isleta Tribal Attorney's Office POI09103@isletapueblo.com

