

US EPA ARCHIVE DOCUMENT

Aaniin Mr. Aburano,

Thank you for the opportunity to submit a designation recommendation for implementing the 8-hour ozone National Ambient Air Quality Standards (O3 NAAQS).

The Reservations and off-Reservation communities of the Mille Lacs Band of Ojibwe are located in east-Central Minnesota, distributed in three districts spanning from the Mississippi River to the west to the St. Croix River to the east, which forms part of the Minnesota-Wisconsin boundaries. The Mille Lacs Band of Ojibwe recommends all land within the jurisdiction of the Mille Lacs Band be designated as being in ATTAINMENT for the proposed revised O3 NAAQS. In cooperation with the Minnesota Pollution Control Agency, we have been monitoring ozone concentrations for over five years. Our fourth-highest 8-hour average over the past three years is 0.070 ppm, which is elevated but still below both the old standard of 0.080 ppm and the proposed standard of 0.085 ppm. However, we reserve the right to change our recommended designation at any time in the future.

We strongly would like to recommend the ceded territories under the Treaties of 1837 and 1842, which the Mille Lacs Band hold interest, be designated as being in ATTAINMENT for the proposed revised O3 NAAQS. The 1837 Treaty-ceded Territory extends from east-central Minnesota to central Wisconsin; the 1842 Treaty-ceded Territory comprises of all of northern Wisconsin and extends into western Upper Peninsula of Michigan.

Within the 1837 Treaty-ceded Territory are the Metropolitan Statistical Areas (MSAs) of St. Cloud, Minneapolis-St. Paul, Eau Claire and Wausau. Within the 1842 Treaty-ceded Territory is the Duluth-Superior MSA. In particular, the Minneapolis-St. Paul MSA is of great interest to the Mille Lacs Band of Ojibwe, not only due to the close proximity to the Reservation thus containing our Urban Service District serving our tribal members living in the MSA, but this MSA is generally upwind of the Reservation. According to MACTEC Engineering and Consulting, Inc., of Jacksonville, FL, who was contracted by the Lake Michigan Air Directors Consortium to analyze air quality data collected near Tribal lands in Minnesota, Wisconsin and Michigan, of the six ozone monitors located in the said MSA, in 2002, a monitor located in the MSA but outside the ceded territory area detected ozone concentrations at or exceeding 0.125 ppm. If in the future any of the mentioned MSA, especially the Minneapolis-St. Paul MSA, were to have its designated reconsidered to something other than being in attainment, we the Mille Lacs Band of Ojibwe would request to be involved in the discussion for the possible redesignation of the MSA, pertaining to the interest we hold in the Treat-ceded Territories.

If you have any questions regarding this recommendation, please feel free to contact the Mille Lacs Band of Ojibwe DNRE Air Quality Program at the address or the telephone number below.

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