REGION 10
SEATTLE, WA 98101

September 17, 2026

Reply to
Attn of: WD-19-C04

Erica Marbet
Water Resources Biologist
Squaxin Island Tribe
200 Billy Frank Jr. Way
Shelton, Washington 98584 (transmitted by email to: emarbet@squaxin.us)

Re: Request for Final Clean Water Act Section 401 Certification of the Draft Salish Seafoods NPDES Permit (No. WA0037320)

Dear Erica Marbet:

By this letter, the U.S. Environmental Protection Agency Region 10 requests that the Squaxin Island Tribe provide Clean Water Act Section 401 certification for the draft National Pollutant Discharge Elimination System (NPDES) permit referenced above. The EPA plans to initiate a 30-day public review and comment period for the draft permit during the week of September 21. As required by 40 CFR 121.5(a)(1), the EPA is submitting, with this request, a copy of the permit application that was submitted to the EPA. A copy of the draft modified NPDES permit and fact sheet addendum, which outlines the basis for the revised permit conditions, are also attached. These documents include the information required for certification requests specified by 40 CFR § 121.5(b)(1) through (6). In addition, the EPA sent a pre-filing meeting request on August 17 and has attached documentation of that request (see 40 CFR § 121.5(b)(7)). A meeting was held on August 31.

The EPA requests that your certification follow the federal regulations governing certification at 40 CFR § 121.7. If you grant certification with conditions, you will need to include a statement with each condition that explains why it is necessary to assure that the activity will comply with water quality requirements as defined in 40 CFR § 121.1(j). Further, the regulations require the certification to include indication that the certifying authority complied with its public notice procedures established pursuant to Clean Water Act section 401(a)(1).

Final action on this permit cannot be taken until your agency has granted or denied certification under 40 CFR §124.55 or waived its right to certify. Pursuant to 40 CFR § 121.9(a), the Squaxin Island Tribe will be deemed to have waived its right to certify unless that right is exercised within 60 days of the receipt of the request for certification, or the Tribe has requested an extension (not to exceed the statutory reasonable period time of one year from the date of the original request for certification).

The reasonable period of time for certification of this action was agreed upon on August 31 and documentation of that agreement is attached. Pursuant to 40 CFR § 121.6, please send written confirmation of the date that this request for certification was received.

If you have any questions on the permit, please contact Sally Goodman at (206) 553-0782 or via email at goodman.sally@epa.gov.

Sincerely,

ERIN SEYFRIED

Digitally signed by ERIN SEYFRIED
Date: 2026.09.18 07:37:32 -07'00'

Erin Seyfried, Manager
NPDES Permitting Section

Enclosures: (1) Draft Modified Permit
(2) Fact Sheet Addendum
(3) Permit Application
(4) 401 Pre-filing Meeting Request
5) Documentation of Agreement on RPT

cc: (by email) Lucas DuSablon, EPA Tribal Coordinator