UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW
ATLANTA, GEORGIA 30303-3104

December 16, 2020

The Honorable Stephanie Bryan
Chair of the Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, Alabama 36502

Subject: EPA's Approval of the State of Florida's Request to Assume Administration of a Clean Water Act Section 404 Program

Dear Chair Bryan:

The U.S. Environmental Protection Agency (EPA) appreciates your engagement throughout the government-to-government consultation and coordination on EPA's action to approve or disapprove the State of Florida's request to assume administration of a Clean Water Act (CWA) Section 404 program. EPA has determined that Florida's program has the necessary authority to operate a CWA Section 404 program in accordance with the requirements found in CWA Section 404(g-l) and EPA's corresponding implementing regulations. Accordingly, EPA is approving Florida's assumption of a CWA Section 404 program, and Florida will begin administering this program upon publication of EPA's approval in the Federal Register.

On December 16, 2020, EPA sent the Poarch Band of Creek Indians a letter summarizing the consultation process and EPA's responses to comments provided by the Tribe, both verbally and in writing, during this process. EPA's responses describe the consultation process as well as how the Tribe's comments were considered as part of EPA's approval decision. This letter closes out the formal consultation and coordination process on this matter.

We look forward to future opportunities to work with the Poarch Band of Creek Indians on a government-to-government basis. If you have any questions regarding this matter, please contact me at (404) 562-9345, or have a member of your staff contact Mr. Kelly Laycock at (404) 562-9132 or [HYPERLINK "mailto:laycock.kelly@epa.gov"]

Sincerely,

Jeaneanne M. Gettle, Director
Water Division

cc: Kristi Weatherford, Environmental Director, Poarch Band of Creek Indians

Larry Haikey, Tribal Historic Preservation Officer, Poarch Band of Creek Indians