United States Department of the Interior

FISH AND WILDLIFE SERVICE
Green Bay ES Field Office
2661 Scott Tower Drive
New Franken, Wisconsin 54229-9565
Telephone 920/866-1717
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September 20, 2011

Ms. Linda Holst, Chief
Water Quality Branch
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: WQ-16J
Water Quality Standards for Bad River Band
of Lake Superior Chippewa Indians
Ashland County, Wisconsin

Dear Ms. Holst:

The U.S. Fish and Wildlife Service (Service) has received your letter dated September 7, 2011, requesting our concurrence on your determination on the effects of the subject action. The project entails approval of water quality standards submitted to the U.S. Environmental Protection Agency (EPA) by the Bad River Band of the Lake Superior Chippewa Indians (Tribe) under section 303 of the Clean Water Act. Our comments follow.

Federally-Listed Species, Candidate Species, and Critical Habitat

Based on a review of the information in the enclosed Biological Evaluation, we concur with your determination that the above-referenced project will have no effect on the gray wolf and Canada lynx, may affect but is not likely to adversely affect the piping plover, and will not result in the adverse modification of designated critical habitat for the piping plover. This precludes the need for further action on this project as required by the 1973 Endangered Species Act, as amended. Should additional information on listed or proposed species or their critical habitat become available, or if project plans change, or if portions of the proposed project were not evaluated, it is recommended that you contact our office for further review.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Mr. Joel Trick at 920-866-1737.

Sincerely,

Peter J. Fasbender
Field Supervisor