



# *Sokaogon Chippewa Community*

3051 Sand Lake Road, Crandon, WI 54520

Phone 715-478-7500 • Fax 715-478-5275

[www.sokaogonchippewa.com](http://www.sokaogonchippewa.com)



December 17, 2020

Karl D. Jansen  
U.S. Army Corp of Engineers  
St. Paul District  
180 Fifth Street East, Suite 700  
St. Paul, MN 55101-1678

Re: Request for Clean Water Act Section 401 Certification for the U.S. Army Corps of Engineers Nationwide Permits, COE-2020-0002

Dear Mr. Jansen,

The Sokaogon Chippewa Community Natural Resources Board has completed our public notice and hearing process regarding the request for 401 certification for the reissuance and modification of the nationwide permits.

At our December 17, 2020 board meeting we have decided to deny the Section 401 certification for the following Nationwide Permits:

- 1- NWP 3- Maintenance
- 2- NWP 5- Scientific Measurement Devices
- 3- NWP 6- Survey Activities
- 4- NWP 7-Outfall Structures and Associated Intake Structures
- 5- NWP 11- Temporary Recreational Structures
- 6- NWP 13- Bank Stabilization
- 7- NWP 16- Return Water from Upland Contained Disposal Areas
- 8- NWP 17- Hydropower Projects
- 9- NWP 18- Minor Discharges
- 10- NWP 19- Minor Dredging
- 11- NWP 22- Removal of Vessels
- 12- NWP 25- Structural Discharges
- 13- NWP 27- Aquatic Habitat Restoration, Enhancement and Establishment Activities
- 14- NWP 29- Residential Developments
- 15- NWP 30- Moist Soil Management for Wildlife
- 16- NWP 32- Completed Enforcement Actions

- 17- NWP 33- Temporary Construction, Access and Dewatering
- 18- NWP 36- Boat Ramps
- 19- NWP 39- Commercial and Institutional Developments
- 20- NWP 40- Agricultural Activities
- 21- NWP 41- Reshaping Existing Drainage and Irrigation Ditches
- 22- NWP 42- Recreational Facilities
- 23- NWP 43- Stormwater Management Facilities
- 24- NWP 44- Mining Activities
- 25- NWP 45- Repair of Uplands Damaged by Discrete Events
- 26- NWP 46- Discharges in Ditches
- 27- NWP 51- Land-Based Renewable Energy Generation Facilities
- 28- NWP 52- Water-Based Renewable Energy Generation Pilot Projects
- 29- MWP 53- Removal of Low Head Dams
- 30- NWP - Water Reclamation and Reuse Facilities

The above areas have the potential to impact the Sokaogon Chippewa Community Water Quality Standards, Section IV, Anti-Degradation Policy. Whenever possible, the Tribe strives for self-regulation and the general permitting would not be consistent with the way we intend to implement our water quality standards and administrative ordinance. Therefore, we prefer to evaluate all future projects on a case-by-case basis and require individual permitting. The Sokaogon Chippewa Communities water quality standards may be found at: [epa.gov/sites/production/files/2014-12/documents/molelakeband-wqs.pdf](http://epa.gov/sites/production/files/2014-12/documents/molelakeband-wqs.pdf)

However, we will grant certification for the following because we felt these three areas were necessary for emergency purposes:

- 1- NWP 20- Response Operations for Oil and Hazardous Substances
- 2- NWP 37- Emergency Watershed Protection and Rehabilitation
- 3- NWP 38- Cleanup of Hazardous and Toxic Waste.

Additionally, we are also granting certification for the following areas because we believe these activities are unlikely to impact our tribal waters or lead to water quality standard violations:

- 1- NWP 1- Aids to Navigation
- 2- NWP 2- Structures in Artificial Canals
- 3- NWP 4- Fish and Wildlife Harvesting, Enhancement and Attraction Devices and activities.
- 4- NWP 9- Structures in Fleeting and Anchorage Areas
- 5- NWP 10- Mooring Buoys
- 6- NWP 28- Modifications of Existing Marinas
- 7- NWP 31- Maintenance of Existing Flood Control Facilities
- 8- NWP 35- Maintenance Dredging of Existing Basins
- 9- NWP 48- Commercial Shellfish Mariculture Activities
- 10- NWP 54- Living Shorelines

If you have any questions, please feel free to contact, Tina L. Van Zile, Environmental Program Director at 715-478-7605 or [tina.vanzile@scc-nsn.gov](mailto:tina.vanzile@scc-nsn.gov).

Miigwech (Thank You),



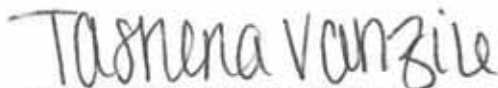
Chris Quade, Natural Resources Board Member



Gloria Toyebo II, Natural Resources Board Member



George Van Zile Jr., Natural Resources Board Member



Tashena Van Zile, Natural Resources Board Member



Leelyn Van Zile, Natural Resources Board Member

Cc: Garland McGeshick, Sokaogon Chippewa Tribal Chairman  
Tina L. Van Zile, Environmental Program Director