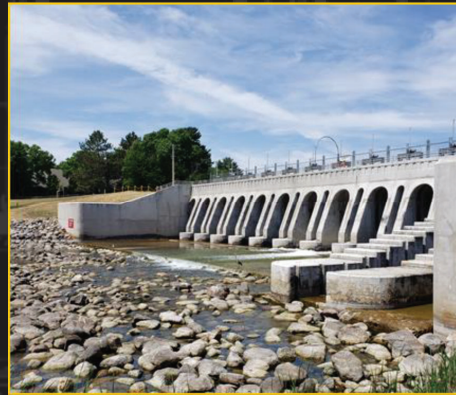


**U.S. ARMY CORPS OF ENGINEERS,  
ST. PAUL DISTRICT**

**PUBLIC HEARING**

**FEBRUARY 27, 2024**

**PLEASE SIGN IN**



**US Army Corps  
of Engineers®**



**U.S. ARMY**



U.S. Army Corps of Engineers, St. Paul District

# Public Hearing

## Clean Water Act 401(a)(2) Decision

*Bad River Band of Lake Superior Chippewa objection to issuance of Section 404 Clean Water Act Utility and Minor Discharge regional general permits (RGPs) and the Band's determination that issuance of the two RGPs will violate its water quality requirements*





# Opening Prayer





## GROUND RULES



- The Regulatory Division Chief will serve as presiding officer
- Hearing will follow the hearing agenda schedule
- Cross examination of witnesses is not permitted
- Speakers are encouraged to focus their comments:
  - How Section 404 issuance of the Minor Discharges RGP and Utility RGP including their conditions, would violate water quality requirements of the Bad River Band.
  - Whether additional conditions could be added to either RGP upon issuance to ensure water quality compliance



# HEARING AGENDA

08:00 - 08:30	Presiding officer Chad Konickson welcome Prayer – Gloria Wiggins, Bizindaadidaa Program Director Agenda, Ground Rules, and Background – Becky Graser
08:30 - 09:00	EPA Region 5 Water Division Director: Tera Fong testimony
09:00 - 09:15	Bad River Band Chairman: Robert Blanchard testimony
09:15 - 09:45	MNRD Water Resources Program Manager: Chris McNerney
09:45 -10:15	GLIFWC Environmental Specialist: Esteban Chiriboga
10:15 -10:30	<b>Recess</b>
10:30 -11:00	Wetland Strategies and Solutions, LLC Senior Professional Wetland Scientist: Matt Schweisberg
11:00 -12:00	MNRD: Natural Resources Director, Naomi Tillison Environmental Specialist, Jessica Strand Water Regulatory Specialist, Kaylee Houle
12:00	Closing Remarks: Chairman Blanchard
12:00 -1:00	<b>Recess/Lunch</b>
1:00-5:00	Additional registered speakers present (recess as needed)
5:00	Adjourn

All times shown between 8am and 5pm are tentative and subject to change  
The actual adjourn time may be earlier provided all speakers present complete their testimony

Additional testimony accepted through 12 March 2024 via email at: [rgp401a2comments@usace.army.mil](mailto:rgp401a2comments@usace.army.mil)



# BACKGROUND



**Bad River Bands original objection was to eight RGPs, six of which have been resolved. Two RGPs, Minor Discharges and Utilities, are the subject of today’s hearing.**

\* June 27, 2022 request for Government to Government consultation



## RGP 401(A)(2) HEARING



### **Intent**

- Hear verbal comments: Bad River Band, EPA, and the Public

### **Focus**

- Water Quality Impacts on the Bad River Reservation resulting from the Minor Discharges RGP and Utility RGP

### **Next Steps – RGP Evaluation**

- Issue, Issue with conditions, Do not issue within watersheds neighboring Reservation



# U.S. ENVIRONMENTAL PROTECTION AGENCY REGION 5 WATER DIVISION DIRECTOR TERA FONG





# HONORABLE BAD RIVER BAND OF LAKE SUPERIOR CHIPPEWA CHAIRMAN ROBERT BLANCHARD





# TESTIMONY BAD RIVER BAND, INCLUDING BAD RIVER BAND REQUESTED SPEAKERS





# RECESS BREAK





# TESTIMONY BAD RIVER BAND, INCLUDING BAD RIVER BAND REQUESTED SPEAKERS, CONTINUED





## LUNCH RECESS



Additional speakers present will be announced to provide testimony beginning after recess.



# TESTIMONY: OTHER REGISTERED SPEAKERS



**HEARING IS CLOSED**



**THANK YOU**