

PUBLIC NOTICE

Clean Water Act, Section 401 Certification of Nationwide Permits

The U.S. Army Corps of Engineers (USACE) has proposed to issue 2026 Nationwide Permits (NWPs) applicable within Minnesota and Wisconsin, including within the exterior boundaries of Indian Reservations.

In accordance with Section 401 of the Clean Water Act (CWA), the Bad River Band of Lake Superior Tribe of Chippewa Indians is examining the application of the NWPs and is evaluating if there is reasonable assurance—with conditions attached—that the activities associated with these general permits will be consistent with relevant water quality considerations.

The Tribe seeks comments on its CWA Section 401 Certification decision associated with the issuance of Nationwide Permits. All comments are considered during the review. Additional information may be obtained by contacting the Water Regulatory Specialist at (715) 682-7123, or waterreg@badriver-nsn.gov. Written comments may be sent via email or post office to:

Kaylee Houle, Water Regulatory Specialist
Mashkiiziibii Natural Resources Department
P.O. Box 39
Odanah, WI 54861
waterreg@badriver-nsn.gov

Additional information is provided in the attached document and at the following webpage:
<https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Nationwide-Permits/>

Comment deadline is November 15, 2025.

Background

The Bad River Band of Lake Superior Chippewa holds 401 Certification authority over federal permits authorized by the US Army Corps of Engineers. The 401 Certification by the Bad River Band ensures that the activities authorized by such permits are consistent with the Bad River Water Quality Standards and other relevant water quality considerations.