

PUBLIC NOTICE

Clean Water Act, Section 401 Certification of National Pollutant Discharge Elimination System

The U.S. Environmental Protection Agency (EPA) has proposed to issue its 2027 National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) that will cover stormwater discharges from construction activities in areas where EPA is the NPDES permitting authority in EPA's Regions 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, 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 issuance of the 2027 NPDES CGP 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 decisions associated with EPA's issuance of the 2027 National Pollutant Discharge Elimination System. 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 (MNRD)
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.epa.gov/npdes/stormwater-discharges-construction-activities>.

Comment deadline is November 19, 2026

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.

Posted: October 20, 2026