

NOTICE

The Stockbridge-Munsee Community Environmental Department is requesting public comments on a proposed Nonpoint Source Assessment Report and Nonpoint Source Management Plan.

The Nonpoint Source Assessment Report seeks to assess the extent or threat of nonpoint source pollution and outline measures to alleviate significant impacts to the Stockbridge-Munsee Community's lands and waters. The Nonpoint Management Plan identifies actions, such as best management practices and community education activities, which will occur to protect the quality of the Tribe's watershed.

A copy of the draft Nonpoint Source Assessment Report and the Nonpoint Source Management plan is available on the Stockbridge-Munsee Community website, <http://www.mohican-nsn.gov/>, or at the Stockbridge-Munsee Tribal Office located at N8476 Moh He Con Nuck Road, Bowler, WI 54416

Comments on the proposed Management Plan can be submitted by fax, email or mail, to the Stockbridge-Munsee Tribal Secretary at N8476 Moh He Con Nuck Road, P.O. Box 70, Bowler, WI 54416 (fax: 715-793-4887) (email: jerilyn.johnson@mohican-nsn.gov) on or before August 29, 2016.

Your comments are appreciated. We welcome the opportunity to discuss ways to improve our surface and groundwater quality.

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Stockbridge-Munsee Community Nonpoint Source Pollution
Management Plan Draft



Stockbridge-Munsee Community

"People of the waters that are never still"



(caddisflies)

NONPOINT SOURCE POLLUTION MANAGEMENT PLAN

STOCKBRIDGE-MUNSEE COMMUNITY ENVIRONMENTAL DEPARTMENT

The primary goal of the management program is to reduce nonpoint source pollution and improve water quality on tribal reservation and trust land.

2016

DRAFT

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Certification of tribal authority

Stockbridge has authority to regulate nonpoint source pollution

Express Delegation of Authority by Congress under the Clean Water Act.

Inherent Authority of Indian Tribes under Federal Law.

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ACRONYMS AND ABBREVIATIONS LIST

OVERVIEW

The Stockbridge-Munsee Community ("Tribe") consists of Mohican Indians and Munsee Indians, who originally occupied adjacent territories along the East Coast. The term "Mohican Nation" acknowledges the tribe's sovereignty and its government relationship with federal, state, county and township governments. The words "Stockbridge-Munsee Community" acknowledge the people's history. The Tribe's original name Mo-he-can-neok or Ma-hii-kan-iiw means "people of the waters that are never still" - a cultural reference to the fact that the Mohican Nation resided along the Mahicannituck ("Hudson River") and the Munsee resided along the the Delaware River and near the mouth of the Mahicannituck in what is now New York State, New Jersey, and Pennsylvania.

Historically, the Mohican and Munsee people are intrinsically linked to waterways as the very essence of their identity. In fact, by the 1700s, many Europeans referred to them as the River Indians. They enjoyed a tremendous variety and supply of fish. Depending on the season, there were sturgeon, salmon, striped bass, drums, trout, carp, snook, forrels, flounder, eels and lamprey. The lamprey were large; according to Van der Donck (1649), they were as large as a man's leg. Farther south along the bays of the East River, there was shellfish such as shrimp, crabs, lobster, mussels, oysters and cod fish. There, they also gathered quahog *Mercenaria mercenaria* for the making of wampum. The oyster beds are estimated to have been hundreds of square miles in size. Van der Donck (1649) described individual oysters measuring up to a foot long. For example, mollusc diversity at Staten Island alone was catalogued to be at least 57 species (30 gastropods and 27 bivalves; Smith 1887), recorded before oyster harvests started to decline due to water pollution and overharvest. The unfouled waters that flowed through these estuaries of oyster beds provided habitat for the diamondback terrapin *Malaclemys terrapin* and other species important to Mohican and Munsee culture, as rivers have always been central to their people's existence and life ways.

Culturally, water is also seen as a sacred element to the Mohican Nation. The way it has been told is that the earth in its birth, just like humans, was in a water bubble and floated around the cosmos until it was in just the right spot- the third rock from the sun. All of the other planets gave to earth the elements of life. When the water broke, Kiisheelumukweengw (Creator) knew the amount of water was too much so Creator decided to keep some water in the sky in the form of a sacred lake, and the rest stayed on earth making up the water we have today. A spirit was sent to be the guardian of this sacred lake and also was tasked with duties to help the people.

In ceremony, water is always present, with the Female's role and responsibility over water used in ceremony. The Women are tasked with the singing of sacred water songs and asking for the blessing of the water spirit therefore turning our water into medicine water for ceremony and for healing. Ceremonial tradition holds that the water spirit comes down and touches the water, blessing it for the people's use. Looking at balance, Women take care of the water and the Men take care of the fire. These two elements are always present at ceremony. For example, the Mohican Nation has participated in walks around the Great Lakes yearly to bring awareness of the significance of water and that without sacred water, all people - not only indigenous people - perish.

While the People of the Mohican Nation no longer reside along the waters of their ancestral home, the cultural ties to water continue to run deep, as many tribal members live along tribal waters and use them for fishing, hunting, and trapping, as well as recreational uses like swimming and

canoeing. The Stockbridge-Munsee Community's Reservation harbors culturally important fish like brook trout *Salvelinus fontinalis* - a species that is also present in the ancestral waters of the Mahicannituck Watershed. Brook trout require clean, cool waters to complete their life cycle.

Human activities that depreciate tribal waters have a direct effect on the political integrity, economic security, and health of the Stockbridge-Munsee Community. Drinking water for tribal members living on and around tribal lands comes from groundwater through either private or community wells. A primary source of contamination to these wells is nitrate, likely originating from manure application from Confined Animal Feeding Operations (CAFO) (Assessment Report, Section 13.1, Page 39). The Stockbridge-Munsee Community's Environmental Department has implemented measures to control this and other sources of pollution from agriculture - the category that creates the most damaging pollution on Stockbridge-Munsee Community lands. The use of fertilizer, manure, and pesticides over large land areas and within close proximity to surface water and groundwater increases likelihood of bacterial, nutrient, and sediment pollution. In addition, the most frequent disturbance observed in the assessment report was hydrological modifications that change sediment loads, alter thermal conditions, and decrease ecosystem diversity (Assessment Report, Section 13.3, Page 44). Because of the Tribe's geographic, economic and cultural ties to water quality, a nonpoint source management program is essential to the health, welfare, and economic security of the Stockbridge-Munsee Community.

The Environmental Protection Agency defines nonpoint source pollution (<https://www.epa.gov/polluted-runoff-nonpoint-source-pollution/what-nonpoint-source>).

Nonpoint source pollution generally results from land runoff, precipitation, atmospheric deposition, drainage, seepage or hydrologic modification. Nonpoint source (NPS) pollution, unlike pollution from industrial and sewage treatment plants, comes from many diffuse sources. NPS pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands, coastal waters and ground waters.

Section 319 of the Federal Clean Water Act (CWA) provides authority and funding to states, territories, and tribes to address and manage problems associated with human activities that depreciate water quality via nonpoint source pollution. The Stockbridge-Munsee Environmental Department is completing this management plan to actively pursue grant eligibility under the federal Clean Water Act section 319 to address nonpoint source pollution within tribal lands. To qualify for section 319 funding, tribes must meet four criteria (EPA 2010):

- 1) Be a federally recognized tribe;
- 2) Complete an approved CWA section 319(a) NPS assessment report;
- 3) Complete an approved CWA section 319(b) NPS management program; and,
- 4) Be CWA section 518(a) approved for treatment, similarly to a state ("treatment as a state").

The Stockbridge-Munsee Community is a federally recognized tribe on the U.S. Assistant Secretary - Indian Affairs' most recent list of tribes (81 Fed. Reg. 26826, 26830 (2016)). The Stockbridge-Munsee Environmental Department completed a CWA section 319(a) NPS Assessment Report. The Assessment Report characterized water quality on trust land held for the benefit of the Tribe and its tribal members (Table 1).

Table 1. Primary Nonpoint Source Pollution Categories and Subcategories Addressed by the Stockbridge-Munsee Nonpoint Source Pollution Management Program

Level -1-, data confirmed impairment currently exists;
 Level -2-, possible impairment not yet confirmed by monitoring data;
 Level -3-, NPS pollution without current impairment;
 Level -4-, No known NPS pollution occurring or impairment to waterbodies).

Categories	Subcategories	Impairment Level
Resource Extraction	Surficial Mining Runoff	-4-
Agriculture	Animal Feeding Operations	-2-
	Overgrazing	-3-
	Cultivation Practices	-2-
	Fertilizer Application	-1-
	Pesticide Application	-3-
	Irrigation Operations	-4-
Forestry	Road Construction and Use	-3-
	Harvesting Practices	-3-
Hydrologic Modification	Channelization/Channel modification	-2-
	Dams/Culverts	-2-
Habitat Alteration	Streambank/Shoreline Erosion or Hardening	-3-
	Wetland Draining/Filling	-1-
	Riparian Vegetation Removal	-3-
Marinas and Boating	Infrastructure development	-3-
	Waste Storage and Removal	-3-
	Streambank/Shoreline Erosion or Hardening	-3-
Roads, Highways, Bridges	Construction Runoff	-3-
	Maintenance Runoff	-3-
	Right of Way Maintenance	-4-
Development	Stormwater Runoff	-4-
	Failing Septic Systems	-3-
	Illegal Dumping	-3-

The Nonpoint Source Management Plan will be used to guide nonpoint source (NPS) pollution management on the 24,872.717 acres that are held as proclaimed reservation or tribal trust land (16,993.75 held in trust by the Federal Government and 7,878.967 in fee based on GIS calculated acres). All reservation and trust lands are located within the geographical limits of the Townships of Bartelme (T.28 N. R.13 E.) and Red Springs (T.28 N. R.14 E.) in Shawano County, State of Wisconsin (Figure 1). A Nonpoint Source Assessment Report has been completed by the Stockbridge-Munsee Environmental Department. This management plan, based on the assessment report data, will guide nonpoint source pollution management on all reservation and trust lands beginning in 2016 (hereafter referred to as trust lands). Trust lands are within the Wolf River watershed. Water quality on trust lands is also influenced by downstream and upstream uses. The Tribe is concerned about downstream uses because species sensitive to nonpoint source pollution are also important to tribal culture and history; species such as brook trout and mussels require a watershed approach to conservation

through pollution management. The Stockbridge-Munsee Environmental Department will work with community partners to identify locations to implement best management practices within the Red River, North Branch Embarrass River, and West Branch Wolf River watersheds (Figures 2-5). The Tribe has also developed and will be implementing a 30-year tribal wetland conservation plan (Waupochick 2015).

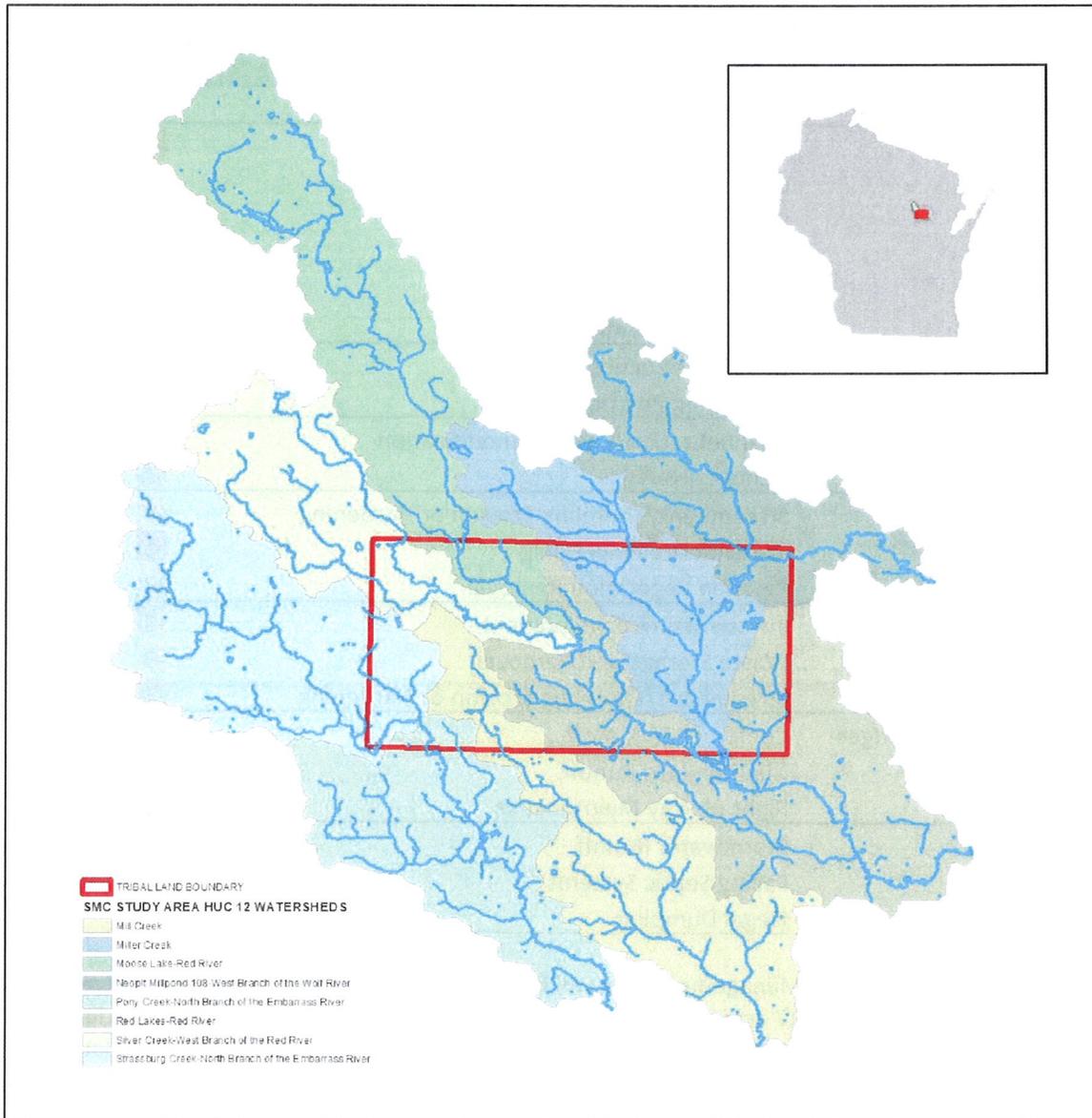


Figure 1. Stockbridge-Munsee Community Trust Lands located within the geographical limits (outlined in red) of the Townships of Bartelme (T.28 N. R.13 E.) and Red Springs (T.28 N. R.14 E.) in Shawano County, State of Wisconsin.

<p>Problem - nutrients from poor manure storage</p>	<p>Solution - remove manure lagoon and polluted soil</p>
	

Figure 2. Nutrients from improperly controlled manure storage or fertilizer application contribute to runoff of nonpoint source pollutants (photo on left). When old lagoon ponds fail, as in this example where the clay barrier ruptured, nitrates and nitrites enter the groundwater at increased concentrations. In this example, the Stockbridge-Munsee community purchased the pictured Paisier Farm (Red Springs, WI) and removed the manure lagoon and the contaminated soil (photo on right).

<p>Problem - livestock in the stream</p>	<p>Solution - fence stream banks and restrict access</p>
	

Figure 3. Overgrazing by livestock that have access to streambanks contributes to nonpoint source pollution through erosion of stream banks and direct contributions to nonpoint source pollution via feces (photo on left shows conditions in Red Springs, WI within historic Stockbridge-Munsee Community Tribal Land Boundary in Figure 1). Streambank fencing also protects herd health as livestock can be put at risk of waterborne bacteria that cause blackleg, mastitis, and other diseases. A solution to this problem is to fence the streambanks to prevent access by livestock and provide an alternative source of water (photo on right shows fencing along Cresap Mill Run, Potomac River watershed. Photo on right by Rich Mason, USFWS).

<p>Problem - culverts that contribute to erosion</p>	<p>Solution - replace with better culverts</p>
	

Figure 4. Perched culverts at road crossings contribute to erosion and inhibit aquatic organism passage (photo on left of previous culvert on old railroad bed along Miller Creek within the Stockbridge-Munsee Community). Perched culverts can be replaced with culverts that minimize erosion and allow aquatic organism passage for species like brook trout, as was completed for this culvert on Miller Creek (photo of replaced culvert on right).

<p>Problem - historical legacy of destroyed wetlands</p>	<p>Solution - restore wetlands to replace function</p>
	

Figure 5. In the late 1800s, forested wetlands were logged and wetland soils were ditched and drained to accommodate row-crop agriculture (photo on left). The Stockbridge-Munsee Community Environmental Department is working to restore wetlands that serve as a natural filter of nonpoint source pollution (photo on right of wetland restoration at Circle Drive, Red Springs, WI).

INTRODUCTION

The primary goal of the NPS management program is to reduce nonpoint source pollution and improve water quality on trust land. The Environmental Department will also protect high-quality waters to maintain the cultural and health benefits provided. The Stockbridge-Munsee Community has taken a multi-generation approach to care for its lands in Bartelme and Red Springs Townships. Tribal land use is dominated by forests (nearly 50%) and wetlands (40%) which are primarily wooded, and limited agricultural land cover (7%). However, management of land outside of the trust lands has impaired water quality on the trust lands as agriculture is the dominant land cover of the Wolf River watershed. As a result, water quality on trust lands is impacted by upstream and downstream uses within the tributaries of the Wolf River, including the Red River, the North Branch Embarrass River, and the West Branch Wolf River. These impairments include high nitrate levels, bacteria (*E. coli*), phosphorous, and inputs of fine sediments (<2mm diameter) (Assessment Report, Results and Discussion Sections). Additional funding is needed to implement best management practices that address these impairments of Tribal waters.

SUMMARY OF TRIBAL MANAGEMENT PROGRAM

The Stockbridge-Munsee Environmental Department will administer the Nonpoint Source Pollution Management Plan. The Mission of the Environmental Department is to use the latest science to holistically observe, monitor, and, when needed, manage tribal land and water and the animals and plants which they support in order to insure the diversity and purity of these resources for future generations to thrive in wellness. The Stockbridge Environmental Department has an environmentalist, a hydrologist, a natural resource technician, a wetland technician, and a water resource technician. In addition, the Environmental Department works closely with the core planning committee for the Tribe, and other tribal departments including Legal, Forestry, Land Management, Wildlife, and Conservation (Figure 6). The Stockbridge-Munsee Environmental Department will work with other tribal departments to make certain that other programs receiving federal funding operate consistent with the goals of the Stockbridge-Munsee Community Nonpoint Source Pollution Management Plan. The Environmental Department will also collaborate with external agencies, organizations, and individuals (described in below section on local experts and Tables 16-20).

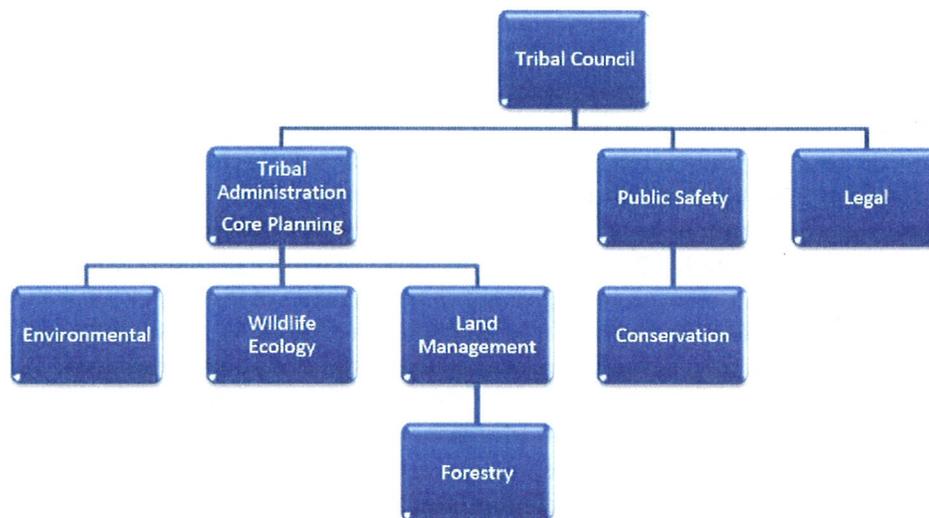


Figure 6. Stockbridge-Munsee Community Government organizational chart relative to the implementation of the Nonpoint Source Pollution Management Plan.

The Stockbridge-Munsee Environmental Department identified seven contributions of non-point source pollution in the Wolf River watershed to address in this management plan (summarized in Table 1 with detailed coverage in the Nonpoint Source Pollution Assessment Report, Results and Discussion Sections):

- 1) Agricultural operations in the watershed contribute to water quality problems primarily due to (1) overgrazed riparian areas, (2) a lack of vegetated buffers around banks and shorelines, and (3) improper manure application;
- 2) Altered hydrology due to dammed or straightened stream segments;
- 3) Forestry operations that impact hydrology including road construction and harvest practices;
- 4) Altered wetland habitat due to agricultural and residential development;
- 5) Boating activities that erode banks and contribute litter;
- 6) Road construction and management that results in salt and sediment runoff; and,
- 7) Land-use development impacts (stormwater, sewage & septic, illegal dumping).

The Stockbridge-Munsee Environmental Department proposes to use its Section 319 funding to address the following objectives:

- 1) Develop and implement an education strategy that targets key problems that create nonpoint source pollution; and,
- 2) Implement best management practices to control nonpoint source pollution in high priority areas using monitoring data and traditional ecological knowledge.

CONTENTS OF THE MANAGEMENT PROGRAM PLAN

This section of the Stockbridge NPS Management Program Plan provides details on the program scope, structure, and function. This section provides context for proposed best management practices

and an overview of nonpoint source pollution within the watersheds of the Red River, North Branch Embarrass River, and West Branch Wolf River.

Best Management Practices

The Environmental Department has addressed nonpoint source pollution under multiple Federal and Tribal funding sources (discussed in below section on programs and funding; see Table 10). Past projects have replaced culverts, restored wetlands, and closed forest roads to eliminate pollution concerns. Several programs and projects are underway to address nonpoint source pollution. The Stockbridge-Munsee Community will use funding support under CWA Section 319 to expand these nonpoint source management programs. The Environmental Department will match Best Management Practices to the appropriate land type to maximize outcomes and protect hydrologically sensitive areas (Rittenburg *et al.* 2015). In addition to implementing best management practices to protect and improve tribal waters, the Environmental Department will implement education activities to increase community awareness about nonpoint source pollution (Table 2).

Table 2. Nonpoint Source Pollution Education Activities to be conducted on an as-needed basis.

Challenge	Activity	Target Audience
Coordination of BMPs for NPS management	Develop and conduct NPS pollution management summits for Tribal staff; write NPS pollution control ordinance in collaboration with Tribal Council	SMC Staff; Tribal Council
Connecting knowledge of NPS pollution issues with the community	Develop and conduct youth education and outreach (nature, art, and photography); Connect pollution issues to hunting, fishing, and recreational use (All-Terrain Vehicle Safety)	Tribal Youth
CAFO nutrients	Reduce nutrient loading into watershed from manure	Agricultural Landowners
Fertilizer Application; Crop Cultivation	Develop educational workshops and outreach materials for implementing best management practices on cropland	Agricultural Landowners; Lessees
Overgrazing near streambanks	Partner with willing landowners to seek funds for streambank fencing to keep livestock out of streams	Agricultural Landowners
Wetland Draining and Filling	Distribute educational materials on the importance of wetlands for improving water quality and reducing pollution	Residents and Businesses with impervious surfaces
Roads and Bridges	Presentation on solutions to address runoff of road treatments(salt and sand) in winter and to provide for aquatic organism passage	Public Works Department and Tribal Council

Agricultural Land Management

The long-term goal for nonpoint source pollution originating from agriculture is to reduce inputs of bacteria, nutrients, and fine sediments (<2mm diameter) into tribal waters. Activities that introduce this pollution include confined animal feeding operations (CAFO), grazing, crop production, manure application, fertilizer application, and irrigation (Table 3). The short-term goal is to reduce inputs of nonpoint source pollution from agriculture on leased Tribal land. The Tribe leases agricultural land to leasees on 3-year contracts. As leases expire and are renewed, the Tribe will require measures that protect wetlands and water quality. For example, among the recommended Best Management Practices are filter strips, buffer strips, and stream bank fencing. Because landowners are influenced by their previous experience with conservation programs that use best management practices like

filter strips (Yeboah *et al.* 2015), the Environmental Department’s goal is to use filter strips on leased cropland to serve as a conservation example for what can be done to prevent soil erosion elsewhere in the watershed. This approach allows for leaving land in crop production while protecting water quality.

In addition to nonpoint source pollution from intensive crop production, allowing cattle direct access to streams degrades water quality. The Tribe will work with landowners in the watershed in conjunction with the Natural Resources Conservation Service (NRCS) to implement streambank fencing to restrict livestock access to streams, and restore vegetation where necessary. Streamside buffers reduce bank erosion, and reduce direct inputs of nutrients and bacteria from feces (Vidon *et al.* 2008). The buffers also result in ancillary benefits to improve health of livestock, improve habitat for fish like brook trout, and improve aquatic organism passage. The Environmental Department will use an adaptive, targeted approach to agriculture conservation to adopt best management practices that improve water quality (e.g., Kalcic *et al.* 2015). The Environmental Department will work with farmers to raise awareness of how individual agriculture actions can contribute to nonpoint source pollution; and target those that are most likely to adopt best management practice installation (Baumgart-Getz *et al.* 2012).

Table 3. Activities for Agricultural Land Management (impairment 1).

Nonpoint Source Pollution	BMP (NRCS)	Participants	Funding Sources
Objective 1: Promote improved manure management and land application practices			
Animal Feeding Operations	528 Prescribed Grazing 634 Manure Transfer 393 Filter Strips	Tribe, NRCS	NRCS EQIP (Environmental Quality Incentives Program)
Objective 2: Keep livestock out of waters and repair damage from past grazing practices			
Overgrazing	528 Prescribed Grazing 382 Fence 393 Filter Strips	Tribe, NRCS	CWA 319; NRCS EQIP
Objective 3: Prevent soil erosion within crops and along streams flowing through cropland using buffers, filter strips, cover crops, and untilled land			
Cultivation Practices	329 No-tillage 340 Cover Crops 393 Filter Strips 412 Grassed Waterway	Tribe, NRCS	CWA 319; NRCS EQIP
Filter Strips, Buffers, and Habitat Restoration	393 Filter Strips 643 Restoration and Management of Rare or Declining Habitats 645 Upland Wildlife	Tribe, NRCS	CWA 319; NRCS EQIP

	Habitat Management 657 Wetland Restoration 658 Wetland Creation		
Objective 4: Encourage farming practices that reduce application of fertilizers and pesticides			
Fertilizer Application	393 Filter Strips 590 Nutrient Management 634 Manure Transfer	Tribe, NRCS, local	CWA 319; NRCS EQIP
Pesticide Application	393 Filter Strips 412 Grassed Waterway	Tribe, NRCS, local	CWA 319; NRCS EQIP

Restoring Hydrology and Habitat

The long-term goal for hydrological modification and habitat restoration is to restore and protect hydrological function and watershed habitat conditions within the Red River, North Branch Embarrass River, and West Branch Wolf River Watersheds. The short-term goal is to identify and implement small-scale hydrological restoration projects that restore connectivity, such as culvert replacement. Not only do perched culverts contribute to erosion and sediment problems, they also inhibit or prohibit aquatic organism passage of shellfish like mussels, and fish like brook trout. Fish community similarity between reaches upstream and downstream of culverts can be enhanced by their removal (Evans *et al.* 2015).

Table 4. Activities for Hydrological Modification and Habitat Restoration (impairment 2).

Nonpoint Source Pollution	BMP (NRCS)	Participants	Funding Sources
Objective 1: Locate, map, characterize, and rank areas of channelization and stream modification due to past habitat destruction (e.g., damage from log drives)			
Channelization and Channel Modification	322 Channel Vegetation 390 Riparian Herbaceous Cover 395 Stream Habitat Improvement and Management 584 Stream Channel Stabilization	Tribe, NRCS, Local, ACE, EPA	CWA 319; NRCS EQIP; ACE; FWS; WDNR
Objective 2: Restore stream habitat to reverse degradation caused by past watershed management			
Historic Habitat Destruction	396 Aquatic Organism Passage	Tribe, NRCS	CWA 319; NRCS EQIP; ACE; FWS;

	500 Obstruction Removal 657 Wetland Restoration 658 Wetland Creation		WDNR
Objective 3: Remove obsolete dams and obstructions			
Dams	396 Aquatic Organism Passage 500 Obstruction Removal 578 Stream Crossing	Tribe, NRCS, Dam Owner, FWS, FERC, EPA	CWA 319; NRCS EQIP; WDNR; ACE; FWS
Objective 4: Replace culverts to improve aquatic organism passage and reduce erosion			
Culverts	396 Aquatic Organism Passage 500 Obstruction Removal 578 Stream Crossing	Tribe, NRCA, WDOT, FWS, EPA	CWA 319; NRCS EQIP; WDNR; ACE; FWS

Forestry Operations

The long-term goal for reducing NPS pollution from forestry operations is to improve harvest practices so that logging has minimal impacts on water quality. The Tribe and the Bureau of Indian Affairs have revised the Forestry Management Plan (Koll 2012). Forest operations and timber sales take into account potential impacts on water resources, using guidance from Wisconsin’s Forestry Best Management Practices for Water Quality (Holaday and Wagner 2010). The short-term goal is to review every timber harvest for impacts on wetlands and streams. The Environmental Department will work with the Forestry Department to implement best management practices that enhance forest operations and reduce associated nonpoint source pollutants (Table 5). For example, the Environmental Department will evaluate sales to examine harvest access points that may impact wetlands and mark all wetland boundaries prior to timber harvest so that those wetland areas are not harvested (Figure 7).

Table 5. Activities for Forestry Operations (impairment 3). Best Management Practices are provided in detail in the Stockbridge-Munsee Community Forest Management Plan (Koll 2012).

Nonpoint Source Pollution	BMP (NRCS or other)	Participants	Funding Sources
Objective 1: Improve forest road construction and use to reduce input of fine sediments and nutrients from erosion			
Road Construction and Use	560 Access Road SMC Forest Management Plan (Koll 2012) Wisconsin’s Forestry Best Management Practices for Water Quality (Holaday and Wagner 2010)	Tribe, NRCS, WDNR	CWA 319; NRCS EQIP

- Use existing roads when they provide the best long-term access
- Select road locations that allow for drainage away from the road
- Where possible, locate roads on well-drained soils.
- Minimize the number of stream, dry wash and wetland crossings.
- Identify optimum stream, dry wash and wetland crossing locations before locating the rest of the road.
- Locate roads outside of Riparian Management Zones and wetland filter strips except at crossings.
- Road grades should not exceed 10%, construct roads with 1% to 2% grades when possible.
- Compact the road base material or allow it to settle before using the road to reduce the amount of water that soaks into it.
- Surface the road with gravel.
- Install drainage structures at grades of at least 2% more than the ditch grade and at a 30 to 45 degree angle to the road.
- Install sediment control structures where necessary to slow the flow of runoff and to trap sediment until vegetation is established at the sediment source.
- Evaluate roads for damage or degradation and decommission roads that contribute NPS pollution (see Table 8 and Figure 9)

Objective 2: Conduct harvest practices in a way that minimizes input of fine sediments and nutrients from erosion

Harvesting Practices	666 Forest Stand Improvement Wisconsin’s Forestry Best Management Practices for Water Quality (Holaday and Wagner 2010)	Tribe, NRCS, WDNR	NRCS EQIP
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- Environmental Department is to be consulted for stormwater permitting on all cuts larger than 1 acre in size
- Use existing skid trails if they provide the best long-term access.
 - Limit the length and number of skid trails, landings and stream crossings to the minimum necessary for conducting the harvest operation.
 - Where possible, keep skid trail grades less than 15%.
 - Whenever possible, winch logs up steep slopes if conventional skidding could cause erosion that affects water quality.
- For winter harvesting, mark stream channels, dry washes and existing culvert locations before snowfall.
- Minimize soil exposure and compaction to protect ground vegetation and the duff layer.
- Buffer strips (no-cut zones) will be established around rivers
 - 100 foot buffers around trout streams
 - 300 foot buffers will be maintained along the Red River, West Branch of the Red River and Silver Creek
 - No wheeled or tracked equipment will operate within 50 feet of the normal high water mark of a spring, seep or vernal pool unless frozen (Environmental Department is to be consulted to comment on these areas)



Figure 7. On previous timber sales, wetland staff have verified boundaries and flagged them with pink wetland boundary ribbon.

Wetland Conservation, Restoration, and Protection

The long-term goal for reducing NPS pollution through wetland improvement is to restore wetland hydrology and function at sites impacted by agricultural and residential development (Figure 8; see Assessment Report). The Environmental Department will implement best management practices for wetland conservation, restoration, and protection (Table 6). This approach will work in tandem with the short-term goal for wetland conservation to finalize development of a 30-year Stockbridge-Munsee Community Wetland Program Plan (Waupochick 2015; Table 6). The Wetland Program Plan is separated into five strategies.

Strategy 1: Improve knowledge of wetland location and function

Strategy 2: Develop a 30-year tribal wetland conservation plan

Strategy 3: Restore wetland acreage and function

Strategy 4: Improve wetland protection

Strategy 5: Build capacity for wetland program work



Figure 8. Agriculture fields showing potential area for wetland restoration (yellowed crops).

Table 6. Activities for Restoring Wetlands impacted by Habitat Alteration from Agricultural and Residential Development (impairment 4).

Nonpoint Source Pollution	BMP (NRCS)	Participants	Funding Sources
Objective 1: Reduce streambank and shoreline erosion and bank hardening by replacing destroyed wetlands			
Streambank and Shoreline Erosion or Hardening	580 Streambank and Shoreline Protection	Tribe, NRCS	CWA 319; NRCS EQIP; FWS TWIG
Objective 2: Reverse past history of tile draining by removing drains and creating wetlands that restore function			
Wetland Draining and Filling	657 Wetland Restoration 658 Wetland Creation	Tribe, NRCS	CWA 319; NRCS EQIP; FWS TWIG
Objective 3: Restore wetland vegetation to improve water quality			
Riparian Vegetation Removal	657 Wetland Restoration	Tribe, NRCS	CWA 319; NRCS EQIP; FWS TWIG

Recreation - Marinas and Boating

The short-term goal for reducing NPS pollution from recreation, primarily sediment and litter, caused by marinas and boating is to improve education. The long-term goal to reduce NPS pollution from marinas and boating is to implement shoreline conservation measures. The Environmental Department will implement measures to prevent deterioration of shoreline and minimize recreational contributions to nonpoint source pollution using Best Management Practices from NRCS.

Table 7. Objectives and BMP Activities for Recreational Use (impairment 5)

Nonpoint Source Pollution	BMP (NRCS)	Participants	Funding Sources
Objective 1: Limit fine-sediment (<2mm diameter) runoff, shoreline erosion, and bank hardening resulting from recreational infrastructure for boating access			
Infrastructure Development	560 Access Road	Tribe, NRCS	CWA 319; NRCS EQIP
Objective 2: Minimize trash input into tribal waters from recreational use			
Waste Storage and Removal	635 Vegetated Treatment Area	Tribe (solid waste), NRCS	CWA 319, Tribal Contribution

Road Runoff

The long-term goal for reducing road runoff is to prevent and capture pollution resulting from road infrastructure, construction, and maintenance. The Environmental Department will reduce pollution resulting from road infrastructure, construction, and maintenance (Table 8). The short-term goal is to eliminate road access in areas causing pollution. For example, the Environmental, Roads, and Forestry Departments recently removed an obstruction from a small stream and closed the unused and poorly maintained forest road (Figure 9). The project will protect young of the year brook trout, which use the site during extended periods of high flow. The project also reconnected upstream and downstream floodplains and segments of streams, which were disconnected by the perched culvert and uplifted road.

Table 8. Activities for Managing Nonpoint Source Pollution Runoff from Impervious Surfaces (impairment 6 - particularly salt and sediment runoff from winter treatments)

Nonpoint Source Pollution	BMP (NRCS or other)	Participants	Funding Sources
Objective 1: Limit fine-sediment (<2mm diameter) runoff during road and bridge construction			
Construction Runoff	570 Runoff Management Wisconsin's Forestry Best Management Practices for Water Quality (Holaday and Wagner 2010)	Tribe, Local, WDNR, EPA	CWA 319
Objective 2: Minimize input of pollution from transportation (e.g., minimize salt and sand input from winter maintenance of roads)			
Maintenance Runoff; Right of Way Maintenance	570 Runoff Management Wisconsin's Forestry Best Management Practices for Water Quality (Holaday and Wagner 2010)	Tribe, Local, WDNR, EPA	CWA 319
Objective 3: Remove access to unused and poorly maintained forest roads			
Right of Way Maintenance	570 Runoff Management Wisconsin's Forestry Best Management Practices for Water Quality (Holaday and Wagner 2010)	Tribe, Local, WDNR, EPA	CWA 319

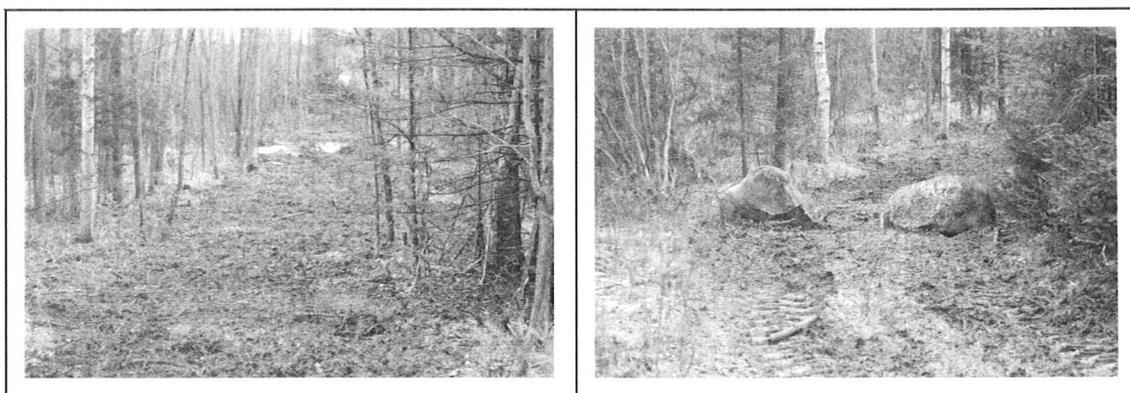


Figure 9. Eliminating vehicle access to a poorly maintained forest road that crossed a headwater stream (Slicky Creek, tributary of the Red River in Red Springs, WI; 2014).

Pollution from Development

The long-term goal for reducing pollution from development activities is to prevent pollution using best management practices for home construction, stormwater management, sewage (septic) treatment, and waste disposal. While land development does not pose an imminent concern for NPS pollution, the short-term goal is for the Environmental Department to continue to evaluate developed sites for impairment and will work with the Tribal Council to implement best management practices for development on Tribal land to minimize impacts on Tribal waters (Table 9).

Table 9. Activities for Development (Stormwater Runoff, Sewage and Septic Disposal, Illegal Dumping) (impairment 7)

Nonpoint Source Pollution	BMP (NRCS)	Participants	Funding Sources
Objective 1: Reduce stormwater runoff that degrades quality of Tribal waters			
Stormwater Runoff	570 Runoff Management	Tribe, Local, WDNR, EPA	CWA 319
Objective 2: Monitor and maintain septic systems to prevent water contamination and replace as needed			
Failing Septic Systems	606 Subsurface Drain 600 Terrace	Tribe, Local, WDNR	CWA 319; BIA Water
Objective 3: Eliminate Illegal Waste Disposal on Tribal Lands			
Illegal Dumping	635 Vegetated Treatment Area	Tribe, Local	CWA 319

Programs and funding that can help the Tribe implement the NPS management program

Youth Education

The Stockbridge-Munsee Wildlife Ecology Department operates a Summer Youth program where high school students are hired and paid to work with Environmental Department staff to help with water quality monitoring, fisheries surveys, macroinvertebrate sampling, and data management (Figure 10). This program receives funding from the Wisconsin Department of Natural Resources. The Environmental Department also works with the Tribal Education Department's summer youth program to get students experience over a few weeks in the summer. The summer youth programs help the Environmental Department meet its program and project objectives and the students benefit from a learning experience. Given the past success of these programs, the Environmental Department will continue to expand education and outreach with additional resources such as Clean Water Act Section 319 funding.



Figure 10. Field sampling of a brook trout stream on Stockbridge-Munsee Community land with high school students helping as part of the summer youth program (July 2015).

Past and potential future funding

The National Fish and Wildlife Foundation (NFWF) has several grants available for conserving or restoring fish and wildlife habitat relevant to controlling NPS pollution. For example, the Stockbridge-Munsee Community Environmental Department previously was awarded funding through the NFWF's Sustain our Great Lakes Program to restore wetlands and improve fish passage, including brook trout, by replacing perched railroad culverts. Other NFWF programs to which tribal governments can apply for funding include Acres for America (projects that conserve important large-scale habitats for fish, wildlife, and plants through land acquisitions), Bring Back the Natives/More Fish, ConocoPhillips SPIRIT of Conservation and Innovation Program (projects that restore critical habitat for high-priority North American migratory species or conservation approaches that address water and biodiversity), Conservation Partners Program, Developing the Next Generation of Conservationists, Fisheries Innovation Fund, and more. Some of the NFWF initiatives target specific regions depending on the private donor.

<http://www.nfwf.org/whatwedo/programs/Pages/home.aspx>

Farm Bill Regional Conservation Partnership Program (USDA) Cities, towns, nonprofits with 501(c)(3) status, state governments, public and state controlled institutions of higher education, private institutions of higher education, special district governments, county government, Native American tribal governments and others are eligible for assistance to address specific natural resource objectives in a proposed area or region. The program's goal is to fund collaborative efforts that promote a comprehensive, regional approach to landscape management. Projects funded benefit farming, ranching, forest operations, local economies, and the communities and resources in a watershed or other geographic area.

<http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/farmbill/rcpp/>

Table 10. Previous funding to the Stockbridge-Munsee Community related to management of Nonpoint Source Pollution and potential sources of future funding to address pollution.

Grant Program	Project Description
USDA NRCS Environmental Quality Incentive Program	<p>Improving Stream Flow: Removed obstruction and logging road from a small creek through the NRCS EQIP. Removal allowed for natural flow of water and reduced an impediment to the movement of small fish and invertebrates. The Tribe worked with NRCS to complete the obstruction removal.</p> <p>Nitrate Remediation: In 2007 the community purchased a 160 acre dairy farm with a clay-lined manure pit that had failed; the contaminated soil was removed and replaced.</p> <p>Wetland Restoration: completed the restoration of a previously tiled 40-acre farm field in 2011.</p> <p>Wild Rice Seeding: provided breeding and forage habitat for waterfowl</p>
USFWS Partners for Fish and Wildlife, Tribal Wildlife Incentive Grant (2008)	Stockbridge-Munsee Fish and Wildlife Project provided for the conservation and management of fish, game, and other natural resources on tribal land for the present and future use and enjoyment of tribal members and such other users as the Tribe shall permit.
BIA Circle of Flight Program	Oak-savanna restoration and wetland restoration projects

BIA Water Resources on Indian Lands Program	Water resources funding for monitoring and equipment purchase; wetland restoration funding
Clean Water Act Section 106 Program	Implemented program to monitor water quality indicators for surface water, groundwater, wetlands, stormwater, and wastewater
National Fish and Wildlife Foundation (NFWF) Sustain our Great Lakes	Funding to restore wetland connectivity and improve fish passage, including for native brook trout, by replacing perched railroad culverts.
Environmental Protection Agency funding for assessment of private onsite wastewater treatment systems through the Indian Health Service	Inventory, inspection, and septic tank pumping of 343 properties was completed at no cost to homeowners

Table 11. Additional potential future funding related to management of Nonpoint Source Pollution.

Shawano County Land Conservation Practice Cost-Share Grant	http://www.co.shawano.wi.us/departments/forms_and_documents/?department=c61420c5769b&subdepartment=c61b4eb2e953
Listed species on tribal lands (potential habitat for the snuffbox, the whooping crane, and the Karner blue butterfly)	The U.S. Fish and Wildlife Service has provided \$68 million for 400 fish and wildlife grants to Native American Tribes since 2003, including \$4.2 million to 22 communities in 2015. In addition to providing educational support for tribal students learning natural heritage, these grants (up to \$200,000) also support endangered species recovery efforts. http://www.fws.gov/nativeamerican/grants.html

Schedule for Best Management Practices implementation

The Environmental Department will initially implement Best Management Practices for the most severe threats related to historical loss of wetlands and pollution from agriculture (Tables 12 and 13). In addition to the detailed schedules for implementing best management practices, the education and outreach activities identified in Table 2 will be conducted on an annual, as needed basis to work with the community to reduce NPS pollution. Remaining Best Management Practices will be implemented as needed to reduce impairments as threats are monitored and evaluated (Table 14).

Table 12. Gantt chart schedule for Best Management Practices implementation within 2-year timeframe with expected project completion percentage by quarter.

Objectives	2016		2017				2018			
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1. Finalize a 30-year Tribal Wetland Conservation Plan										
a. Review existing studies and collect data	100%									
b. Tribal, local and regional government agency outreach and input sessions		50%	100%							
c. Tribal members outreach, community outreach and input sessions			50%	100%						
d. Landowner outreach and input sessions										
e. Establish process for integrating tribal and partner input and data to determine on and off reservation priorities for the protection, restoration and management of wetlands				50%	100%					
f. Develop wetland restoration and management methods and goals and follow up wetland					50%	100%				
g. Prepare draft & final watershed based wetland management planning reports, restoration and									100%	
2. Complete design and construction of 2-3 demonstration projects to restore wetlands										
a. Wetland Cemetery Scrape Planning and Design	100%									
b. Wetland Cemetery Scrape excavation, seeding and tree planting		75%	100%							
c. Thurner Lane Restoration planning and design *delayed construction		100%								
d. Work with tribal land department, tribal council for future projects located on tribal land currently in trust application	25%		50%		75%		100%			
3. Story Mapping- create an online interface that integrates wetland and stormwater data										
a. Information gathering, planning and design		25%	100%							
b. Development of conceptual framework, storyboarding web pages and static and interactive maps and graphics			25%	100%						
c. Web design, coding, initial testing			10%	25%	50%	75%	100%			
d. Final Testing and deployment							75%	100%		
4. Work with Tribal Council to develop a Nonpoint Source Pollution Ordinance										
a. Review activities that resulted in NPS pollution			25%							
b. Work with legal to draft ordinance				50%	100%					
c. Finalize draft, Tribal Council approval							50%	100%		

Table 13. Gantt chart schedule for Best Management Practices implementation within 5-year timeframe with expected semi-annual project completion percentage.

Objectives	2017	2018	2019	2020	2021
1. Agricultural (crop) lease renewal (every 3 years)					
a. Review existing leases and collect data	75%			100%	
b. Lessee outreach and input sessions	30%	70%		100%	
c. Require that leasees protect wetlands and also set aside at least 10% of cropland for buffering against soil erosion with prairie strips	100%				
d. Monitor water quality of buffered sites before and after prairie strip implementation	20%	40%	60%	80%	100%
e. Prepare manuscript to publish results					50% 100%
2. Complete design and construction of 3 additional wetland restorations to bring total to 5					
a. Work with tribal land department, tribal council for future projects located on tribal land currently in trust application	25%	50%	75%	100%	
b. Work with landowners and the NRCS to identify potential restoration projects on private land within the watershed	25%		50%	75%	100%
c. Complete restoration #3		25%	75%	100%	
d. Complete restoration #4			25%	75%	100%
e. Complete restoration #5				25%	75% 100%
3. Update nonpoint source pollution management plan					
a. Review management plan				100%	
b. Review best management practices implemented				100%	
c. Finalize update, Tribal Council approval					100%

Table 14. Gantt chart schedule for Best Management Practices within 5-year timeframe with expected semi-annual opportunities shaded without expected completion percentage.

Objectives	2017	2018	2019	2020	2021
1. Reduce agricultural pollution					
a. Promote improved manure management					
b. Keep livestock out of waters					
c. Repair damage from past grazing					
d. Encourage farming that reduces application of pesticides and fertilizers					
2. Evaluate and repair impairments caused by hydrologic modifications (culverts and modified channels) as needed					
a. Work with tribal agencies, organizations, and local governments to evaluate modifications and restore hydrology					
b. Work with landowners and the NRCS to identify potential restoration projects on private land within the watershed					
3. Forestry operations					
a. Work with Forestry Department to reduce runoff from roads and timber sales					
4. Recreational use from marinas and boating					
a. Implement education and outreach to minimize trash from recreational use					
b. Limit shore-line hardening and bank erosion resulting from boating access					
5. Road runoff					
a. Implement best management practices to reduce runoff from roads and bridges					
b. Work with Forestry Department to decommission poorly maintained roads					
6. Development					
a. Find solutions to reduce stormwater runoff in existing developments					
b. Help implement measures to control stormwater in new developments					
c. Monitor and maintain septic to prevent water contamination					
d. Work with other agencies to eliminate illegal waste disposal on SMC land and water					

Local experts who will help implement a watershed-based approach

Per CWA section 319(c), the statute reinforces collaborative partnerships and public involvement in water resource planning. The Stockbridge-Munsee Community has built a network of experts with whom the Environmental Department can partner to achieve reductions in nonpoint source pollution. Some of these partners have played pivotal roles in past efforts to restore stream habitat connectivity for fish and wildlife, to restore wetland hydrology, and to reach out to the community. The Tribe recognizes the benefit of a watershed management approach to target nonpoint source pollution. To address nonpoint source pollution within the Wolf River Watershed, partners for our management plan include other tribal governments, nonprofit organizations, and federal, state, and local agencies that have expertise in controlling nonpoint source pollution.

The Stockbridge-Munsee Environmental Department has also included public notice and comment periods for past water quality reports and for wetland management planning. The Environmental Department hosted two wetland summits that included a variety of stakeholders representing county conservation districts, non-profit organizations, state agencies, federal agencies, land trusts, and other tribes.

Table 15. Tribal departments and experts who will help the Stockbridge-Munsee Community implement best management practices to control nonpoint source pollution.

Department Participant (Contact)	Mission	Role
Tribal Council	Grants final approval to set policies and authorizes management decisions	Final approval of BMP
Environmental	Use the latest science to holistically observe, monitor and, when needed, manage tribal land and water and the animals and plants which they support in order to insure the diversity and purity of these resources for future generations to thrive in wellness.	Sets vision for watershed-based management of nonpoint source pollution and implements BMP
Environmentalist, Greg Bunker Hydrologist, Angela Waupochick Wetland Technician, Alex Brauer Water Resource Technician, Joshua Jensen		
Legal Counsel	Represents and protects the Tribe, its assets, enterprises, and its interests	Assist in developing ordinances for BMP implementation
Forestry	Manages a diverse, mixed-aged forest that is Forest Stewardship Council Certified.	Integrate BMP into forest management and timber harvest
Conservation	Enforces Conservation Code	Monitor sites for illegal dumping of trash
Land Management	Maintains and Follows the Mohican Land Use Plan that integrates conservation, preservation, and sustainable use of the multiple resources of the land	
Public Works	Responsible for the management and maintenance of tribal facilities, parks, cemeteries, property, equipment, inventory, roads and public utilities; conducts septic and sewer inspections and pumping to promote and protect public health	Assist in mitigating road runoff into streams; help in replacing culverts to improve aquatic organism passage

Table 16. Tribes and Tribal government agencies, and contact information for experts who will help the Stockbridge-Munsee Community implement best management practices to control NPS pollution.

Participant Contact	Mission	Role
The Menominee Indian Tribe of Wisconsin	The Menominee Environmental Department performs lake and stream studies for fisheries and other planning, monitors water quality to maintain aquatic resources in optimum conditions, and conducts habitat restoration for wild rice, trout streams, and sturgeon.	Red River and West Branch Wolf River watershed planning consultation
Director of Environmental Services, Jeremy Pyatskowitz, 715-799-6152		
Oneida Nation, Eco-Services	The objective of water resource monitoring is to gather scientific information on the water resources of the Oneida Reservation. Studying waters of the Reservation assists staff in making sound water management decisions. The water quality data collected is used for analysis, research, aiding in habitat improvements, and also to assure compliance with Oneida Water Quality Standards (Resolution #7-17-96B) and the Oneida Water Resource Ordinance (Resolution #5-8-96B).	Fox-Wolf Watershed Planning
Oneida Aquatic Entomologist, Jim Snitgen, 920-497-5812		
Indian Nations Conservation Alliance (INCA)	Their vision is to to develop a sustainable, healthy environment with an indigenous perspective as it relates to traditional homelands and Mother Earth. Their mission is to to assist all US Tribal Nations / Alaskan Natives in establishing, maintaining, and/or strengthening Tribal Conservation Districts to protect the air, land, water, cultural and natural resources, and Mother Earth for future generations.	Assisting with application for Tribal Conservation District
Executive Director, Dick Gooby, 406-684-5199		

Table 17. Nongovernment (nonprofit) agencies, and contact information for experts who will help the Stockbridge-Munsee Community implement best management practices to control NPS pollution.

Participant Contact	Mission	Role
Fox-Wolf Watershed Alliance	Works to protect, restore, and sustain the water resources of Wisconsin's Fox-Wolf River Basin; promotes cost effective solutions and provides opportunities for decision makers and practitioners to learn from each other and experts in the the field	Outreach & education, networking
Executive Director, Jessica Schultz, 920-858-4246 Outreach Coordinator, Kelly Reyer, 920-915-1502 Project Coordinator, Genevieve Vander Velden, 920-915-5767		
Northeast Wisconsin Land Trust	Land conservation organization dedicated to permanently protecting natural places by working with landowners who wish to preserve their land to create individualized conservation agreements to leave a lasting legacy for their family and future generations. http://www.newlt.org/	Private lands conservation technical assistance and coordination
Conservation Outreach Manager, Kari Hopfensperger, 920-738-7265		
Pheasants Forever	Farm Bill biologists assist landowners in designing, developing, and funding habitat improvements on private lands. http://pheasantsforever.org/	Technical assistance with private landowner conservation practices
Farm Bill Biologist, Julie Peterson, 920-615-2624		
The Nature Conservancy	TNC has developed a geographic, web-based, watershed management tool to assist restoration conservation practitioners in identifying priority projects.	Private lands conservation technical assistance and coordination
Green Bay Watershed Director of Conservation, Nicole Van Helden, 920-634-6549		
Trout Unlimited	Wolf River Chapter	Conservation easements for fishing to protect streams with buffers on private land
President, Tim Waters, http://www.wolfrivertu.org/		
University of	Employs a team of natural resource educators	Agricultural land runoff

Wisconsin-Extension	located across the state to provide local and statewide education, training, and technical support for environmental and natural resource issues.	technical assistance, cost sharing and incentives for conservation practices and stewardship on agricultural land
Natural Resource Educator, Chad Cook, 920-232-1990		
Waterways Association of Menominee and Shawano Counties	Citizen-lead, nonprofit organization that formed in April 2016 for the purpose of protecting the waterways and lakes of Menominee and Shawano counties	Volunteer coordination
Wisconsin Wetlands Association	A non-partisan, science-based professional organization advocating for wetlands http://www.wisconsinwetlands.org/	Wetland ordinance development
Executive Director, Tracy Hames, 608-250-9971 Wetland Policy Director, Erin O’Brien, 608-250-9971 Local Government Outreach Specialist, Kyle Magyera, 608-250-9971		

Table 18. Local agencies and contact information for experts who will help the Stockbridge-Munsee Community implement best management practices to control NPS pollution.

Participant Contact	Mission	Role
East Central Wisconsin Regional Planning Commission	Provides the basic information and planning services necessary to solve problems which transcend the corporate boundaries and fiscal capabilities of individual governmental jurisdictions. The Commission has a statutory duty to prepare and adopt comprehensive plans for the physical development of the region. Such plans include land use, transportation, open space, economic development and environmental management elements. The Commission also provides technical assistance to participating governments with issues of concern to that jurisdiction.	Environmental planning coordination with county governments
Associate Environmental Planner, Todd Verboomen, 920-886-6824		
Langlade County, Land Conservation Division	Programs targeted to conserve and protect the natural resources of the county, including an animal waste ordinance, farmland preservation, NPS pollution control, nutrient management planning, manure management restrictions	Technical assistance, consultation, landowner outreach, BMP education
Department Head, Marie Graupner, 715-627-6292 Assistant Code Administrator/Land Conservation Technician, Molly McKay, 715-627-6206		
Shawano County, Land Conservation Division	Coordinates and implements conservation programs at the local level by establishing priorities for controlling resource problems; deciding what types of conservation assistance best serve the needs of county land users; and cooperating with state and federal agencies to accomplish goals.	Technical assistance, financial assistance via a conservation practice cost-share grant, consultation, landowner outreach, BMP education
County Conservationist, Scott Frank, 715-526-4632		

Table 19. State agencies and experts who will help the Stockbridge-Munsee Community implement best management practices to control nonpoint source pollution.

<p>Wisconsin Department of Natural Resources</p>	<p>The Wisconsin DNR has targeted the North Branch Embarrass River for “easement acquisition and future habitat development” http://fox11online.com/news/local/northwoods/trout-stream-restoration-project-coming-to-northeast-wisconsin</p>	<p>Coordination of monitoring, consultation</p>
<p>Fisheries Biologist, Al Niebur, 715-526-4227 (Oshkosh Field Unit, Shawano, WI) Water Regulations and Zoning Specialist, Scott Koehnke, 715-526-4232 (Shawano, WI) Water Resources Management Specialist, Brenda Nordin, 920-360-3167 (Green Bay, WI) Water Resources Management Specialist, Keith Marquardt, 920-303-5435 (Oshkosh, WI)</p>		
<p>Wisconsin Department of Transportation</p>	<p>Established in 1991, the Local Roads Improvement Program (LRIP) assists local governments in improving seriously deteriorating county highways, town roads, and city and village streets. This is a reimbursement program, which pays up to 50% of total eligible costs with local governments providing the balance.</p>	<p>Technical Assistance for Culvert Replacement</p>

Table 20. Federal agencies, and experts who will help the Stockbridge-Munsee Community implement best management practices to control nonpoint source pollution.

Participant (Contact)	Mission	Role
U.S. Department of Interior, Bureau of Indian Affairs	Appropriates funds to tribes. Provides access to Great Lakes Restoration Initiative funds for restoration projects	Technical and financial assistance; Circle of Flight Program, Water Resources on Indian Lands Program
U.S. Department of Health and Human Services, Indian Health Services	Responsible for providing federal health services to American Indians and Alaska Natives. The provision of health services to members of federally-recognized Tribes grew out of the special government-to-government relationship between the federal government and Indian Tribes.	Technical and financial assistance for improving water quality via improved wastewater treatment
U.S. Army Corps of Engineers	The primary goals the Tribal Nations Program are: (1) to consult with Tribes that may be affected by USACE projects or policies, and (2) to reach out and partner with Tribes on water resources projects. http://www.usace.army.mil/Missions/CivilWorks/TribalNations.aspx	Technical and financial assistance
U.S. Department of Agriculture, Farm Service Agency	Conservation Reserve Enhancement Program; CREP targets high-priority conservation issues identified by local, state, or tribal governments or non-governmental organizations. In exchange for removing environmentally sensitive land from production and introducing conservation practices, farmers, ranchers, and agricultural landowners are paid an annual rental rate.	Technical and financial assistance, consultation
U.S. Department of Agriculture, Forest Service	The Office of Tribal Relations provides oversight of Forest Service programs and policy that may affect Tribes, encouraging and supporting respectful, supportive government-to-government relationships that strengthen external and internal coordination and communication about tribal concerns and the Forest Service	Technical assistance, education assistance through internships

	mission.	
U.S. Department of Agriculture, Natural Resources Conservation Service	<p>NRCS offers voluntary programs to eligible landowners and agricultural producers to provide financial and technical assistance to help manage natural resources in a sustainable manner.</p> <p>http://nrcs.usda.gov/GetStarted</p> <p>The NRCS also provides assistance for creating a Tribal Conservation District.</p> <p>http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs143_021924.pdf</p>	Environmental Quality Incentive Program (EQIP), Wildlife Habitat Improvement Program, Conservation Stewardship Program
U.S. Environmental Protection Agency, Region 5	Administers CWA Section 319 Nonpoint Source Pollution Management Program	Technical and financial assistance; Clean Water Act Section 106
U.S. Department of Interior, Fish and Wildlife Service	“Working together with Native American Liaisons and officials from among the Federally recognized tribes nationwide, the Office of the Native American Liaison identifies areas where both Federal and tribal conservation efforts can most effectively conserve fish, wildlife, plants, and their habitats.”	Technical and financial assistance; Partners for Fish and Wildlife, Tribal Wildlife Incentive Grant
U.S. Department of Interior, Geological Survey	“The USGS has recognized the importance of Native knowledge and living in harmony with nature as complements to the USGS mission to better understand the Earth. Combining traditional ecological knowledge with empirical studies allows the USGS and Native American governments, organizations, and people to increase their mutual understanding and respect for this land. USGS provides information to tribes as part of our basic mission of providing unbiased scientific information to the Nation, and as part of the Federal Trust Responsibility to tribes.”	Technical assistance through scientific research coordination

ACRONYMS AND ABBREVIATIONS LIST

Acronym or abbreviation	Full Name
ACE	Army Corps of Engineers
BMP	Best Management Practice
CAFO	Confined Animal Feeding Operation
CWA	Clean Water Act
EPA	Environmental Protection Agency
EQIP	Environmental Quality Incentives Program
NPS	Nonpoint Source (pollution)
NRCS	Natural Resources Conservation Service
SMC	Stockbridge-Munsee Community

Certification of Stockbridge-Munsee Community's Authority

A certification letter as to the Stockbridge-Munsee Community's authority is part of the Tribe's application to be treated in the same manner as a State for purposes of a Section 319 nonpoint source management program. However, the following is a summary of key elements in that certification.

Tribal Authority to regulate nonpoint source pollution

The Stockbridge-Munsee Community is a federally recognized tribe (81 Fed. Reg. 26826, 26830 (2016)). It has a rich history with a continuous government-to-government relationship with the United States. The current Stockbridge-Munsee Community is made up of Mohican Indians and Munsee Indians, who originally occupied adjacent territories along the East Coast. Shortly after the Revolutionary War, the United States entered into the first of numerous treaties with Stockbridge, which eventually lead to Stockbridge's removal in 1856 to its present location in Shawano County, Wisconsin. In 1937, the Tribe reorganized under an Indian Reorganization Act constitution, which was amended in 1995. The Tribe is governed by a 7-person Tribal Council. The Tribe has a tribal court system that includes both a trial court and a court of appeals. The Tribe has established a governmental organization to manage government operations.

The Tribe asserts jurisdiction over waters within the scope of its nonpoint source program in relation to lands that are its proclaimed reservation, as well as lands held in trust for the Tribe by the United States of America. The Tribe currently has 16,993.75 acres that are held as proclaimed reservation or tribal trust land, all of which are located within the geographical limits of the Townships of Bartelme (T.28 N. R.13 E.) and Red Springs (T.28 N., R.14 E.) in Shawano County, State of Wisconsin.

While the Tribe does not currently have ordinances specific to nonpoint source pollution management, it does have ordinances to control water pollution (Chapter 34, Stockbridge-Munsee Tribal Law Water Pollution Control) and to protect groundwater to provide residents of the community a safe drinking water supply (Chapter 37, Stockbridge-Munsee Tribal Law Groundwater Protection Ordinance). Developing ordinances related to nonpoint source pollution management is a priority and considered a need for successful implementation of a management program.

Express Delegation of Authority by Congress under the Clean Water Act.

Section 518 (a) of the CWA identifies that it is the policy of the federal government that "Indian tribes shall be treated as States" for the purposes of 33 U.S.C. 1251 (g). This subsection (g) is part of the declaration of policy and goals for the CWA and grants authority "to develop comprehensive solutions to prevent, reduce and eliminate pollution in concert with programs for managing water resources." Furthermore, the Administrator of the EPA is expressly authorized "to treat an Indian tribe as a State" for purposes of carrying out the objectives of Section 518 in relation to a number of programs under 33 U.S.C. 1377 (e). One of these enumerated programs is the nonpoint source management program, which is established under 33 U.S.C. 1329.

Inherent Authority of Indian Tribes under Federal Law.

The Stockbridge-Munsee Community, as a federally-recognized Indian tribe, has inherent sovereign authority over its reservation and lands held in trust for the benefit of it and its members. This

inherent authority includes the authority to regulate the conduct of its members and activities on tribal lands that impact nonpoint source pollution.

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REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL - 9 2015

REPLY TO THE ATTENTION OF:

WW-16J

Angela Waupochick
Water Resources Program
Stockbridge Munsee Environmental Department
N7689 Koan Tuk Drive
PO Box 70
Bowler, Wisconsin 54416

Dear Ms. Waupochick:

Thank you for your June 9, 2015 submission of the final version of the 2015 Stockbridge Munsee Community Wetland Protection Plan. We have completed our review of the plan and find that all of our comments have been addressed. This plan will provide clear direction for the Stockbridge Munsee Community as you move forward in your efforts to protect and restore wetland resources on tribal lands. The Environmental Protection Agency approves your 2015 Wetland Program Plan.

We look forward to working with the tribe to help you implement this plan. If you have any questions regarding this approval please call Sue Elston at 312/886-6115.

Sincerely,

A handwritten signature in black ink that reads "Peter Swenson".

Peter Swenson, Chief
Watersheds and Wetlands Branch.