

SOKAOGON CHIPPEWA COMMUNITY WATER QUALITY STANDARDS

Section I Introduction, Purpose, Authority, Scope and Applicability

A. [151.00] Title

This ordinance may be cited as the "Sokaogon Chippewa Community Water Quality Standards" (SCC WQS).

B. [151.01] Purpose

Water has always been an integral and sacred part of the Sokaogon people's survival, identity and culture. Water is the life-supporting blood of Mother Earth that human beings share in common with all living things. The purpose of this ordinance is to protect the health and welfare of the Sokaogon people and the integrity of tribal aquatic natural and cultural resources by enacting policy, procedures, criteria and standards for Tribal Waters to maintain ambient water quality by prohibiting any permanent, detectable alteration or degradation of Tribal Waters.

To accomplish these ends, the SCC WQS:

- 1) Identify Tribal Designated Uses and Existing Uses as well as narrative and numeric criteria to protect all Uses.
- 2) Identify an antidegradation policy and which classifies all Tribal Waters as Outstanding National Resource Water (ONRW).
- 3) Prescribe methods and implementation procedures to maintain and protect the Tribal Designated and Existing Uses and ONRW classification;
- 4) Preserve and protect all things within the aquatic ecosystem that support the cultural integrity, health, welfare, economic security, environmental quality, safety, treaty rights and inherent sovereignty of the SCC;
- 5) Ensure adequate water quality to support all elements of the aquatic community which includes plants, invertebrates, fish and wildlife, as well as water quality sufficient to support unrestricted recreation in and on the water, traditional tribal uses, unrestricted public consumption of surface

and ground water and the organisms contained therein, and all other uses of the surface waters consistent with the physical, social and economic well-being of the Tribe and its members.

C. [151.02] Enactment Authority

The SCC is a Federally recognized Tribe of Native Americans designated and organized as such pursuant to the Indian Reorganization Act (25 USC 476 et.seq.). The SCC enacts this ordinance pursuant to its inherent authority along with the federal regulatory power under sections 303 and 518 of the Clean Water Act (33 USC 1251 et.seq. hereinafter the "Act").

Although the tribe has developed WQS more stringent than required by the Act, consistent with sections 101(g) and 518(a) of the Act, the SCC WQS shall not be construed to supersede or abrogate independent tribal rights to sufficient quantities and quality of water to support the flora, fauna and cultural traditions of the SCC.

D. [151.03] Contents

The following elements are included in the Tribe's Water Quality Standards:

- 1) Designated Uses consistent with the Clean Water Act Amendments of 1987, and Existing Uses as defined in Section V.
- 2) Narrative Water Quality Criteria, and procedures for choosing the most protective criterion between EPA's recommendations or the Tribe's ambient water quality value.
- 3) Methodologies, policies and procedures consistent with the requirements at 40 CFR 132.4 to develop, if necessary, aquatic life, wildlife, and human health criteria, as well as bioaccumulation factors; and to ensure definitions are consistent with 40 CFR 132.2.
- 4) Methods used to support the WQS revisions, including public participation requirements at 40 CFR 25.
- 5) An Antidegradation Policy and implementation procedures consistent with 40 CFR Parts 131 and 132.
- 6) Certification by the Chief Justice of the Sokaogon Chippewa Tribal Court that the WQS were duly adopted pursuant to Tribal law.

E. [151.04] Incorporation By Reference

The following authorities are here incorporated by reference:

- 1) SCC Tribal Constitution and act of the Tribal Governing Body (Resolution 05-30A-94); SCC Natural Resource Administrative Procedure Ordinance (Ordinance 08-21A-02).
- 2) Water Quality Standards Regulation at 40 CFR 131; Water Quality Guidance for the Great Lakes System 40 CFR 132; 33 USC 1251 (et. seq.), with the specific exceptions noted at section 151.21(b)(i) and (ii).

F. [151.05] Scope

The SCCWQS shall apply to all waters upon, under, flowing through or bordering the Sokaogon Chippewa Community Indian Reservation and Trust Lands (Tribal Lands) at any and all points in the hydrologic cycle. The SCCWQS shall govern all human activities affecting Tribal Waters including, but not limited to: agriculture, aquaculture of fish, cranberries, shellfish and other organisms, construction, energy generation and distribution, industry, manufacturing, mining, navigation, silviculture, storm water management, transportation, wastewater treatment and disposal, plus domestic and commercial uses and discharges.

G. [151.06] Review and Revision

Tribal review and revision of the WQS shall be conducted in accordance with 40 CFR Part 131.20, as follows:

- 1) **Tribal Review:** The Tribe shall from time to time, but at least once every three years, hold a public hearing for the purpose of reviewing applicable water quality standards policy, and for modifying and adopting standards as necessary.
- 2) **Public Participation:** The Tribe shall hold a public hearing for the purpose of reviewing the WQS in accordance with the provisions of Tribal law, US Environmental Protection Agency's (EPA) water quality management regulation (40 CFR 130.6), and public participation regulation (40 CFR 25). The proposed water quality standards revision and supporting analyses shall be made available to the public prior to the hearing.
- 3) **Submittal to EPA:** The Tribe shall submit the results of the review, any supporting analyses, the methodologies used for site-specific criteria development, any general policies applicable to the WQS, and any revisions of the standard (if revisions are made) to EPA within 30 days of the completion of the review.

Section II Tribal Designated and Existing Uses.

A. [151.10] Purpose of Enumerating Tribal Designated Uses

Each of the Designated Uses listed below are applied to all Tribal Waters. Tribal Designated Uses consist of the uses of these waters by tribal members, and the native plant and animal communities that depend upon the purity of those waters to maintain current ecological functions. Tribal Designated Uses are intended to protect and sustain religious significance to members of the SCC so that they may continue to maintain the spiritual integrity of current and future generations and be free from any effects of human made pollution or alterations. The Tribal Designated Uses are also intended to assure that Tribal Waters that flow beyond Tribal Lands can physically, biologically and chemically support all lawful activities of humans, including but not limited to: recreation, fishing, navigation, industry, irrigation of crops, grasses and other cultivated plants and animals, cooling and heat storage as well as the downstream classification of the Wolf River as an ONRW.

B. [151.11] Designated Uses

Tribal Designated Uses include:

- 1) **Cultural: Use of All Tribal Waters for cultural, subsistence, spiritual, medicinal, ceremonial, and aesthetic purposes that include any element of the environment that is ecologically associated with Tribal Waters.**
- 2) **Recreation:**
 - a) **Primary Contract Recreational: Use of All Tribal Waters for prolonged contact by humans, allowing the possibility of ingestion of water in quantities sufficient to pose a health hazard.**
 - b) **Secondary Contact Recreational: Use of All Tribal Waters for activities which may, but need not, involve minimal ingestion of water.**
- 3) **Public Water Supply: Use of All Tribal Waters, prior to treatment, as a public drinking water source or for food processing.**
- 4) **Commercial: Use of All Tribal Waters for commercial purposes.**
- 5) **Agricultural/Forestry: Use of All Tribal Waters in forestry and/or agricultural practices.**

- 6) **Navigation:** All Tribal Waters shall be of sufficient quality for navigation to occur.
- 7) **Aquatic life:** Use of All Tribal Waters for any organism indigenous to the environment that is ecologically associated with Tribal Waters for the purpose of healthy existence, continued survival, ecological support and furthermore use of all Tribal Waters for physical, chemical and biological support they provide as habitat and life support to aquatic organisms including but not limited to fish and shellfish.
- 8) **Wildlife:** Use of all Tribal Waters for physical, chemical and biological support they provide as habitat and life support to wildlife organisms.

C. [151.12] Existing Uses

Tribal Existing Uses contain all uses defined in SCC WQS B. [151.11].

Section III Water Quality Standards Criteria

Narrative and Numeric Water Quality Criteria are established herein to assure that all Designated and Existing Uses as well as the Outstanding National Resource Water classification of all SCC Tribal Waters are maintained and protected.

Narrative Water Quality Criteria qualitatively detail prohibited conditions of surface waters and ground waters within the SCC reservation and trust lands, that when un-met constitute an enforceable Water Quality Standards violation.

Numeric Water Quality Criteria may be applied to any parameter, pollutant, toxicant or condition as necessary to protect the SCC Designated and Existing uses and the ONRW classification of all Tribal Waters. Numeric Water Quality Criteria will be used to implement the SCC WQS Antidegradation Review process (see SCC WQS Section IV.), the Clean Water Act Section 401 Water Quality Certification Requirements for Federal Permits and Licenses, and any other environmental regulatory programs for which SCC retains authority.

A. [151.20] Narrative Water Quality Criteria

All Tribal Waters shall be free from pollutants or alterations in quantities that, either alone or as a result of interaction with other pollutants, cause an SCC Designated Use or the ONRW classification to become more difficult to attain.

The following conditions in Tribal Waters are prohibited:

- 1) The presence of pollutants in quantities that result in unnatural color, oil films or slicks, floating solids, scum, foams, settled solids, suspended solids or deposits in Tribal Waters or on or within the beds of Tribal Waters.
- 2) The presence of pollutants in quantities that result in objectionable taste or odor being imparted to either Tribal Waters or organisms living in it or drinking from it.
- 3) The presence of pollutants in quantities that result in toxicity to aquatic organisms, wildlife, domestic animals or humans.
- 4) The presence of pollutants in quantities that result in bioaccumulation in aquatic organisms leading to toxicity to consumers of the aquatic organisms.
- 5) The presence of pollutants that act as nutrients to plants in quantities that result in the growth of nuisance algae and plants.
- 6) The presence of bacteria and/or microorganisms at levels that may impair Tribal Water's Designated and Existing Uses, including but not limited to: potential drinking water use, recreational use, subsistence fishing and wild rice gathering use and cultural or ceremonial uses.
- 7) Releases of pollutants or human-induced changes to Tribal Waters, the sediments of Tribal Waters or area hydrology that alter natural ambient conditions in Tribal Waters such as, without limitation, flow, stage, dissolved oxygen, pH and temperature. Natural daily fluctuations of flow, stage, dissolved oxygen, pH and temperature shall be maintained.
- 8) Releases of pollutants or human-induced changes to Tribal Waters, the sediments of Tribal Waters or area hydrology that result in changes to species composition in Tribal Waters, on the Reservation or in the Ceded Territory. Naturally occurring assemblages of organisms in Tribal Waters shall be maintained.

B. [151.21] Numeric Water Quality Criteria

When needed, on a case-by-case basis, Numeric Criteria may be required to implement the SCC Water Quality Standards. Tribal Authorities will choose the applicable value as indicated below.

- 1) For all pollutants in the Great Lakes Guidance (40 CFR 132) the applicable criterion will be the more protective value of either:
 - a) SCC Ambient Water Quality Values, as defined in Section V of this document and reported in "The SCC Clean Water Act 106 Grants Final Report", using statistically sound and scientifically defensible methods that are being developed by the SCC Environmental Department, or
 - b) US EPA Great Lakes Guidance Numeric Criteria (40 CFR 132.6, Tables 1 - 4).

- 2) For all pollutants listed in Table 5 of the US EPA Great Lakes Guidance (40 CFR 132) the applicable criterion will be the more protective value of either:
 - a) SCC Ambient Water Quality Values, or
 - b) Most recent US EPA published criteria recommendations as required by Clean Water Act 304(a), with the exceptions noted in Section C. [151.22] Site-Specific Numeric Criteria and Numeric Criteria Methods below.

- 3) With exceptions noted in Section C. [151.22], for all other pollutants where the Great Lakes Guidance methodology is not applicable, or where the Tribe demonstrates that the Great Lakes Guidance methodology is not scientifically defensible, the applicable criterion will be the more protective value of either:
 - a) SCC Ambient Water Quality Values, or
 - b) Most recent US EPA published criteria recommendations as required by Clean Water Act 304(a); or
 - c) Criteria developed applying methodologies and procedures acceptable under 40 CFR 131.

C. [151.22] Site-Specific Numeric Criteria and Numeric Criteria Methods

In specific situations (e.g. Rice Lake which is the cultural centerpiece of SCC) where SCC may need to modify EPA's criteria recommendations to reflect site-specific conditions, the modifications shall be consistent with the requirements at 40 CFR 132 Appendix F, Procedure 1: Site-specific Modifications to Criteria and Values. These

modifications will be used to compare with SCC's ambient water quality values. If the modified criterion is more protective than SCC's ambient values, the modified criterion will be submitted to EPA for approval before the criterion becomes applicable.

Where EPA has no published recommendations, or where SCC must develop a value to implement a narrative criterion, SCC will use the methodology required at 40 CFR 132.4 (a)(1) through (5) to derive criteria for comparison to tribal Ambient Water Quality Values. The more protective value will become the applicable criterion.

For the protection of wild rice, *Zizania palustris*, SCC may derive criteria using the aquatic life methodology specified at 40 CFR 132.4 (a)(2) in addition to using other scientifically defensible toxicological methods in order to obtain a range of potential criteria. The most protective values based upon the available methods or tribal Ambient Water Quality Values will be chosen as the applicable criterion criteria.

Section IV Antidegradation Policy

The SCC has depended on the ability of Tribal Lands and Tribal Waters to provide basic cultural preservation, religious practice and abundant natural resources for consumption, subsistence, sustainable economic development, and sociological health. This Antidegradation Policy provides for the maintenance and protection of water quality to ensure that all designated and existing uses are met and maintained through an Antidegradation Standard and Antidegradation Implementation Procedures consistent with 40 CFR 131 and 40 CFR 132.

A. [151.30] Antidegradation Standard

- 1) **Applicability:** The SCC Antidegradation Standard shall be applicable to any activity performed by any source, point or non-point, of pollutants or alterations that is anticipated to increase loadings of any pollutants or cause physical, chemical or biological alterations to Tribal Waters including, but not limited to the following: new or increased discharges of pollutants, nutrients, bacteria or sediments; anthropogenic changes in flow, temperature or other physical modifications; alteration or removal of indigenous species to or from Tribal Waters; any other changes that may permanently impair any cultural, sociological, biological, physical or chemical attributes of those waters for which tribal regulatory authority exists requiring compliance with the SCC Water Quality Standards.
- 2) **ONRW Classification:** All Tribal Waters are classified as Outstanding National Resource Waters (ONRW) equivalent to Federal ONRWs as defined in 40 CFR 132. This classification is supported by proclamation

of the Assistant Secretary of the Interior on June 30, 1939 in the 4th Federal Register by the authority of the Indian Reorganization Act, thus giving the waters within reservation boundaries special status. These areas serve as the last refuge for tribal members to continue to practice a life that exemplifies sustainable economic development, and that preserves the resources critical to cultural integrity and survival of the Tribe. Tribal Waters have exceptional cultural, religious, social, ecological and recreational attributes of national significance with respect to rare ecological species and the culturally unique Native American community dependent on them. Tribal Waters are also classified ONRW to further protect the downstream ONRW classification of the Wolf River.

- 3) Prohibitions: No human activity may directly or indirectly discharge, release or emit pollutants into Tribal ONRW Waters, except on a short-term, temporary basis as described in Section IV B [151.31] Antidegradation Implementation. All Non-abberational, indigenous species, and supporting ecological parameters, shall be protected regardless or prevalence, condition or use. Quality of these waters shall be unadulterated. There shall be no signs of ecological stress or impairment.

B. [151.31] Antidegradation Implementation

For all Tribal Waters classified ONRW:

- 1) Authority: The SCC Environmental Director and the SCC Natural Resources Board (Tribal Authorities) shall ensure, through the application of appropriate controls on all pollutant and alteration sources, that water quality is maintained and protected in order to attain all designated and existing uses.
- 2) Exception: A short-term, temporary (weeks or months) lowering of water quality may be permitted by Tribal Authorities for activities meant to protect public health, increase the social and economic welfare of the tribe, or result in future higher water quality in the ONRW. Such activities must not permanently degrade water quality or result in water quality lower than that necessary to protect Designated and Existing Uses of Tribal Waters. Tribal Authorities, after public participation and upon approval of the SCC Tribal Council, will determine when the tribe will allow short-term, temporary changes in water quality following the completion of an Antidegradation Demonstration and an Antidegradation Decision.

- 3) The following items include, but are not limited to, activities requiring Antidegradation Demonstrations and Decisions for short-term, temporary changes in water quality (to be performed in conjunction with the SCC Tribal permitting process):

Any proposed on reservation ground altering activities such as the following: construction of buildings, wells, culverts, irrigation systems, landfills, roads and driveways; timber harvesting; updating septic systems; maintenance and/or repair of existing boat ramps or docks; restoration of existing stormwater systems; replacement or repair of existing bridges.

In those cases, where the potential lowering of water quality is associated with a thermal discharge, the decision to allow such degradation shall be consistent with section 316 of the Clean Water Act.

- 4) The following activities are prohibited and will warrant a 'Denial' Antidegradation Decision:
- a) Any activity which may result in long-term discharges, or a permanent lowering of water quality such as construction of roads, parking lots, driveways and buildings which will contribute stormwater runoff on a continual basis to any surface water body, including but not limited to wetlands, streams and lakes.
 - b) Any activity which may result in discharges of bioaccumulative chemicals of concern (BCC's) including, but not limited to those listed in Table 6 of 40 CFR 132 in any amount for any duration to Tribal Waters.

- 5) Antidegradation Demonstration Application:

For any short-term, temporary lowering of water quality allowed under the Exception at section 151.31 (2), an Antidegradation Demonstration is required, and the applicant must provide the following information to the SCC Environmental Department Director, 3051 Sand Lake Road, Crandon, WI 54520 (715) 478-7605:

- a) The name and address of the applicant;
- b) The location and duration of the proposed activity;
- c) A description of the activity including the following: quantity of

potential discharge into or draw-down of ground or surface waters; chemical, sediment, nutrient and bacteria concentrations of discharge; physical or thermal alterations proposed.

- d) A description of the treatment methods of the proposed point source discharge, including details of the equipment and facilities to be used and the degree of treatment expected to be attained. A description of the best management practices to be employed in order to mitigate any effects of a non-point source discharge.
 - e) Details of the methods of monitoring to be used to determine the quality and quantity of the point/non-point source discharge or surface water/groundwater draw-down proposed.
 - f) A description of how the proposed short-term activity, will guaranteed that there is no potential for this short-term activity to become regular and periodically repeating, will meet at least one of the following: A) Protects public health. B) Increases the social and economic welfare of the tribe. C) Results in future higher water quality in the ONRW.
 - g) Any other potential environmental impacts such as those to federally-listed endangered, threatened and candidate species.
- 6) Antidegradation Demonstration Review:

SCC is currently gathering ambient baseline chemical, physical and biological water quality data (Ambient Water Quality Values) to support Antidegradation Demonstration Reviews and Antidegradation Decisions of water quality effects. A summary of preliminary Ambient Water Quality Values is presented in "The SCC Clean Water Act 106 Grants Final Report" and is available upon written request from the SCC Environmental Director, 3051 Sand Lake Road, Crandon, WI 54520, (715) 478-7605. A nominal fee covering copying costs may be charged by the SCC Environmental Department. SCC will use the ambient water quality data to make final decisions on Antidegradation Demonstrations.

Where sufficient data for an Antidegradation Decision does not exist, each entity proposing an activity which could potentially change water quality in Tribal Waters may be required to gather specified data and present it to the SCC Environmental Director at the above address. Data requirements will be decided on a case-by-case basis.

Tribal Authorities will evaluate Antidegradation Demonstration Applications against the following requirements:

- a) Completeness of application, including provision of specified data if necessary to make a scientifically and legally defensible Antidegradation Decision.
 - b) Designated and existing uses of Tribal Waters must be maintained and protected during and after the short-term temporary discharge is allowed. No permanent impairment of water quality may result from the short-term temporary change in water quality.
 - c) The proposed activity must meet at least one of the following requirements in the immediate and distant future: improve and protect the public health of the tribe; enhance the economic and social well being of the community; maintain the cultural integrity of the SCC.
 - d) All pollution prevention alternatives and enhanced treatment options must be considered for the prevention of permanent lowering of water quality and the mitigation of short-term, temporary water quality effects.
- 7) Antidegradation Decision:

Tribal Authorities will issue a preliminary Antidegradation Decision within 90 days of submittal of the Antidegradation Demonstration Application to the SCC Environmental Director. A preliminary approval or denial decision will be granted for the proposed short-term, temporary change in water quality based on the Antidegradation Demonstration Review requirements.

A public meeting on the preliminary Antidegradation Decision, allowing community participation will be advertised in a local community newspaper within 5 workdays of the preliminary decision. The Antidegradation Decision public comment period will follow the announcement, with a public meeting conducted within 30 days after the announcement.

Tribal Authorities will issue a Final Antidegradation Decision within 30 days of the public meeting. Appeals regarding the Antidegradation Decision shall be heard by the Sokaogon Chippewa Tribal Court if filed within 30 days of approval of the Antidegradation Decision by the SCC

Tribal Council.

Section V Definitions

As used in this ordinance, these words have the following meanings:

Alterations - Any change in physical characteristics of Tribal Waters (ie. flow, water level or temperature).

Ambient Conditions - The measurable biological, chemical, and physical characteristics of Tribal Waters and their associated dependent animal communities.

Ambient Water Quality Values - Statistically and scientifically defensible quantifiable biological, chemical and physical properties gathered by the Sokaogon Chippewa Community and their consultants.

Antidegradation Implementation - Procedures allowing the Tribe to determine on a case-by-case basis whether water quality may temporarily be changed in order to benefit or improve conditions of Tribal Members (consistent with 40 CFR 132 Appendix E).

Antidegradation Policy - Policy designed to protect water quality and provide a method of assessing activities that may impact the integrity of Tribal Waters.

Aquatic Community - A biological association consisting of all interacting populations of aquatic species, habitat and chemical conditions inhabiting a given area.

Aquatic Organisms - Aquatic species.

Bacteria - Escherichia coli (E. coli) and/ or its indicator Fecal Coliform.

Bioaccumulative Contaminants of Concern (BCC's) - Any chemical that has the potential to cause adverse effects which, upon entering the surface waters, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor of greater than 1000.

Clean Water Act - The Federal Water Pollution Control Act (Public Law 92-500), as amended (33 U.S.C. § 1251 et. seq.).

Cultural Resources - Any object, place, ecosystem, gravesite or dwelling, which has a spiritual, religious, historic or cultural value to the Sokaogon people.

Designated Uses - Those uses specified in water quality standards for each water body or segment whether they are being attained or not.

Dissolved Solids - Generally associated with freshwater systems, consisting of inorganic salts, small amounts of organic matter, and dissolved material.

Existing Uses - Those uses actually attained in the water body on or after November 28, 1975, wither or not they are included in the water quality standards.

EPA - United States Environmental Protection Agency.

Federal Register - The official daily publication for Rules, Proposed Rules, and Notices of the US Federal agencies and organizations, as well as Executive Orders and other Presidential documents.

Fish Consumption Rates - Consumption rates (grams/ day) used to determine the potential exposure of humans to toxic chemicals.

Indian Reorganization Act (1934) - An act to conserve and develop Indian lands and resources, to extend to Indians the right to form business and other organizations, to establish a credit system for Indians, to grant certain rights of home rule to Indians, to provide for vocational education for Indians and for other purposes.

Microorganisms - Any bacteria, virus, mold, protozoa or other biological pathogen of concern, which may be a threat to human health if ingested.

Natural Resources - Any soil, mineral, plant, animal, fish, organism, ecosystem or element that lies within, under or upon Tribal Waters and Tribal Lands.

Narrative Water Quality Criteria - Narrative elements of a tribe's water quality standard describing conditions of Tribal Waters necessary to attain a particular use often referred to as "free froms".

Numeric Water Quality Criteria - Numeric elements of a tribes water quality standards, expressed as constituent concentrations or levels representing a quality of water that supports a particular use.

Nutrients - Phosphorous and Nitrogen: known to promote excessive or nuisance plant growth.

Outstanding National Resource Water (ONRW) - Waters designated as such by the Tribe. Water bodies recognized as: important because of protection through an official action; having exceptional ecological significance; having other special cultural,

environmental or recreational attributes. SCC ONRW's are equal to 40 CFR 131 and 40 CFR 132 ONRW's.

pH - The negative logarithm of the effective hydrogen-ion concentration. Used to express acidity (values less than 7) and alkalinity (values greater than 7).

Pollutant - Any substance, chemical, chemical breakdown product, plus heat, the presence of which in the environment is the direct or indirect result of a human activity.

Pollution - The intentional, reckless, negligent or accidental release into the environment of a pollutant.

Risk Level - An estimated probability or frequency expected to occur for a specific health risk (i.e. cancer) due to the exposure to known concentrations of a material.

Suspended Solids - A descriptive of the organic and inorganic particulate matter in water.

SCC Tribal Authorities - The Sokaogon Chippewa Community Environmental Director and The Sokaogon Chippewa Community Natural Resources Board.

SCC Tribal Chairperson - The elected Chairperson of the Sokaogon Tribal Council.

SCC Tribal Council - The elected governing body of the Sokaogon Band of the Lake Superior Chippewa.

Short-term, Temporary Change in Water Quality - A change in water quality not to exceed several weeks or months and causing no long-term or permanent effects.

Sokaogon Chippewa Community Water Quality Standards (SCC WQS) - The Water Quality Standards adopted by the Tribal Council and approved by the United States Environmental Protection Agency pursuant to the Clean Water Act.

Tribal Waters - All waters upon and under the Sokaogon Chippewa Community Tribal Lands at any and all points in the hydrologic cycle as provided by the Clean Water Act.

Tribal Lands - All lands within the limits of the Sokaogon Chippewa Community Reservation, all lands owned by the SCC Tribe and all lands held in trust by the United States for the benefit of the Tribe over which the Tribe exercises or has authority to exercise governmental power as specified within the Clean Water Act and/or any other pertinent federal regulation.

Toxic Pollutant - Any pollutant that, when present in sufficient quantities, either by itself

or through interactions with other pollutants and/or naturally-occurring substances present in the environment, is or may become harmful to plant life, animal life, or any Tribal Designated Use.

Toxicity - The inherent potential or capacity of a material to cause adverse effects in a living organism.

US EPA - United States Environmental Protection Agency.

Water Quality - The chemical, biological, and physical integrity of a body of water.

Water Quality Assessment - An evaluation of the condition of a waterbody using biological surveys, chemical specific analyses of pollutants in waterbodies, and toxicity tests.

Water Quality Guidance for the Great Lakes System (GLI) 40 CFR 131 - Federal Policy governing the Water Quality Standards requirements for all States and Tribes within the Great Lakes Basin.

Water Quality Standards Criteria - Definitions of the ecological condition necessary to fully support Tribal Designated Uses. Tribal Water Quality Standards Criteria establish a positive statement about the condition and health of the ecological conditions that occur within Tribal Waters.

Wetlands - Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, hydrophytic vegetation typically adapted for life in saturated soil conditions, such as algae and cattails.

Wild Rice (*Zizania palustris*) - Cultural and natural resource of the Sokaogon people that has sustained their subsistence for over 300 years. The Sokaogon Chippewa Community reservation was designated with a 600 acre wild rice lake as its centerpiece.

WQS Triennial Review - Every three years the SCC is required by the CWA and the SCC WQS to revise and update their water quality standards, including public participation and meeting all USEPA requirements.