



NORTHERN CHEYENNE TRIBE WETLANDS PROGRAM PLAN

2014-2019



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Northern Cheyenne Environmental Protection Department Mission Statement

It is the mission of the Northern Cheyenne EPD to protect, conserve, and enhance the quality of human health and the environment for the benefit of current and future generations of the Northern Cheyenne Tribe. Through the remediation of past adverse land management and development activities and by employing enforceable, ecologically sound, culturally sensitive, and developmentally responsible regulatory practices, the Northern Cheyenne EPD will strive to maintain and advance the ecological integrity of the Northern Cheyenne Reservation.

History and Background

The Northern Cheyenne Tribe has been developing a wetlands program for over 10 years. The initial tribal Wetlands Conservation Plan was drafted in 2002.

During the same time frame, identification of culturally significant plants found in reservation riparian and wetland areas was recognized as a desired tribal mission. Northern Cheyenne Tribal members use certain wetland and riparian plants for medicinal and cultural purposes. Based upon work done by William Tallbull, a former Assistant Professor of History at Chief Dull Knife College, and author of "Plant Lore of the Northern Cheyenne," it is possible to isolate wetland plants that are of cultural significance for the Northern Cheyenne. Mr. Tallbull's book outlines those plants found on the Northern Cheyenne Reservation that have historically provided medicinal or food value to the Northern Cheyenne. Utilizing an ethno-botanical approach, a list of plants that are of significant cultural value was developed through personal interviews with elders. Many of these plants are hydrophytic, and therefore are located within wetland or riparian habitats.

Cross-referencing between Mr. Tallbull's book, Classification and Management of Montana's Riparian and Wetland Sites, and the 1988 National Wetlands Plant List in conjunction with the Montana Natural Heritage Program (MTNHP) produced a comprehensive list of plants culturally significant to the Northern Cheyenne. The current list includes the common Cheyenne name (written in the Northern Cheyenne language), Cheyenne name (translated to English), scientific name, common name in English, and wetland indicator status.

The following table is an excerpt from the comprehensive culturally significant plant database used in assessments and field verifications of reservation wetlands. The distribution of culturally significant plants, particularly obligate wetland plants, has helped to determine the current site selection for assessment and monitoring. This information will inform future decisions for possible plant re-introduction as part of the wetlands restoration element of the tribal wetlands program. In addition, knowing the location and distribution of these plants will be important for tribal infrastructure planning activities, such as new home sites, development, and roads. The Northern Cheyenne Tribal Historic Preservation Office will be provided this information to cross-reference with the Northern Cheyenne cultural sites database. This will provide wetland/riparian sites additional protection through their tribal regulations.

Table 1. Northern Cheyenne Tribe Culturally Significant Plants

Cheyenne Name	Cheyenne Common Name	Scientific Name	Common Name	Wetland Indicator Status_R4
HE TAN I MINS	juneberry	<i>Amelanchier alnifolia</i>	Saskatoon serviceberry	FACU
HE TAN EVANO' ESTSE	man sage	<i>Artemisia ludoviciana</i>	white sagebrush	FACU
MA' EHESEEO' OTSE	red root plant	<i>Chamerion angustifolium</i>	fireweed	FAC
MA' KOOMEHESO	red willow	<i>Cornus sericea</i>	redosier dogwood	FACW
HEXOVAVO' ESTSE	common spikerush	<i>Eleocharis palustris</i>	common spikerush	OBL
HE HE OTSE WOTSE	mint	<i>Mentha arvensis</i>	field mint	FACW
MA PE VOTZ	water plant	<i>Nasturtium officinale</i>	watercress	OBL
HEH PAN	white pond lily	<i>Nuphar lutea</i>	Rocky Mountain pond-lily	OBL
AIN' NOVI' TOS	Indian carrot	<i>Perideridia gairdneri</i>	Gardner's yampah	FACU
SESTOTO'E	lodgepole pine	<i>Pinus contorta</i>	lodgepole pine	FACU
XAMAEHOOHTS ESTSE	cottonwood tree	<i>Populus deltoides</i>	plains cottonwood	FAC
MINS	chokecherry	<i>Prunus virginiana</i>	chokecherry	FACU-
MAI HESSE' YO	red medicine	<i>Rumex crispus</i>	curly dock	FACW
HETAN HESE' EO' OTSE	arrow leaf plant	<i>Sagittaria latifolia</i>	broadleaf arrowhead	OBL
MAXE MENO' KE	big willow	<i>Salix exigua</i>	sandbar willow	FACW+

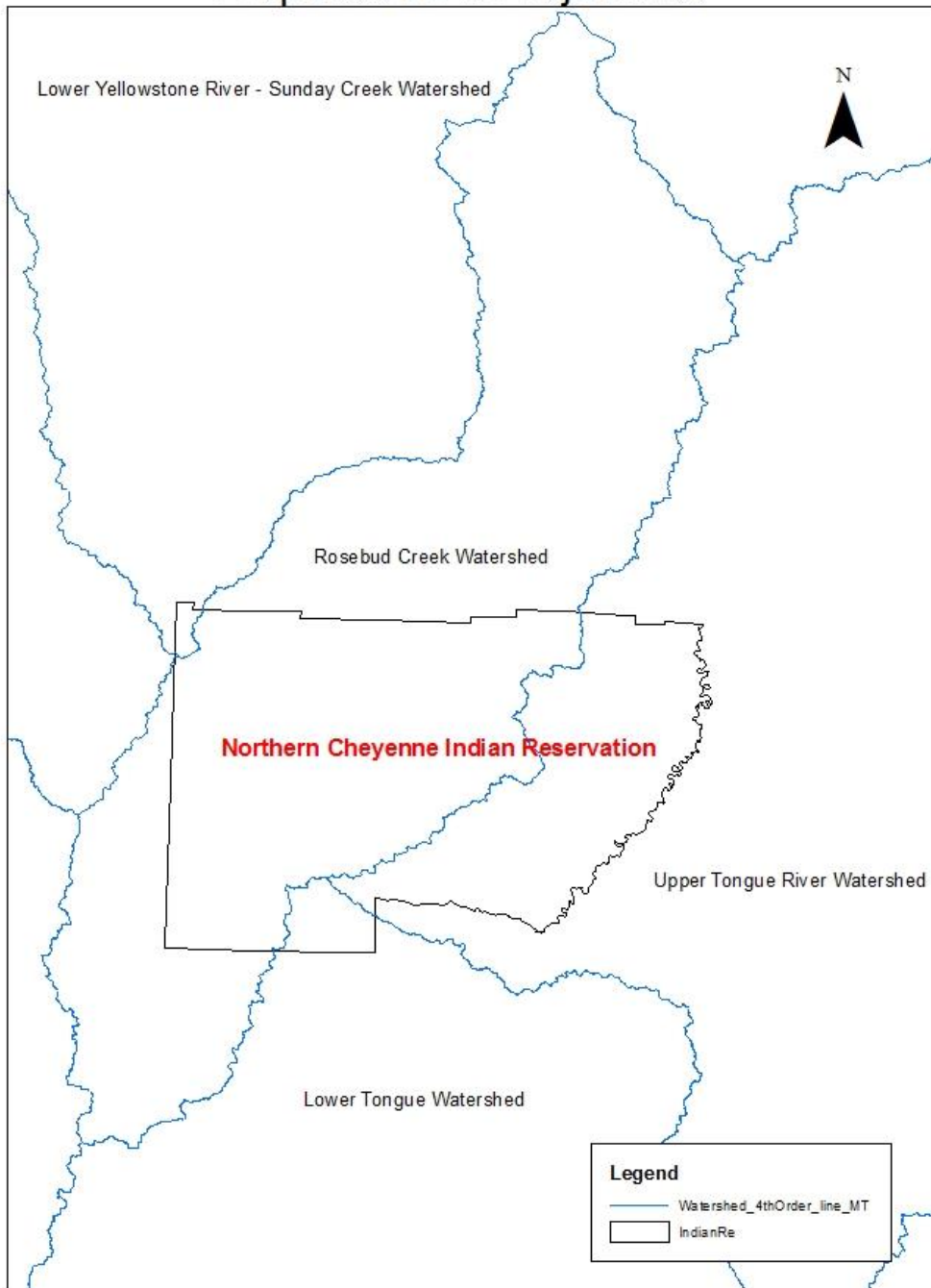
*Note: Some plants listed above may be considered invasive or a weedy species; hence they will not be used for restoration purposes.

Significant historic wetland work and planning by the Tribe has led to the establishment of a culturally sensitive wetland assessment method with a particular focus toward documenting the presence or absence of culturally significant plants. Additional wetlands management activities include developing wetland and riparian quantitative inventories (establishing acreage and wetland type information in GIS); wetlands and riparian qualitative assessments through watershed-specific wetland and riparian health evaluations (focused on overgrazed areas); draft wetland water quality standards, a subpart of the overall Tribal Water Quality Standards; and drafting a tribal aquatic lands protection ordinance, that was approved by the tribal government in 2003.

Recently, the tribal wetlands program has leveraged active partnerships with NC tribal programs including the Northern Cheyenne Lease Compliance Office and Natural Resources Department as well as the MTNHP to map and assess wetland condition, provided training in assessment methods and cultural plant identification, and assistance with review and development of quality assurance documents and field protocols. Data needs of the program were identified including the basic data needed for proper management of wetlands such as extent and location. This data need was partially met in 2010 and will continue through 2015 and beyond as wetland mapping within more USGS topographic quads are mapped and field-verified. To date, 18 USGS topographic quads on and near the reservation wetlands have been digitized by Montana Natural Heritage Program using USDA National Agriculture Imagery Program (NAIP) color-infrared imagery. The wetlands mapped have

been classified according to the Cowardin classification system and submitted to the US Fish and Wildlife Service for inclusion in the National Wetlands Inventory. The tribal wetlands program continues to use these data to quantify type and extent of wetlands and riparian areas on the reservation, conduct field verification of the mapped areas, and conduct wetland assessments. The tribal wetlands program also uses a GIS geodatabase to document presence of culturally significant plants. The data collected as part of this effort is kept confidential and proprietary to the Tribe to protect cultural property and sensitive site.

General Watershed & Location Map Proposed NPS Project Site



From the outset, the focus has always been on wetlands and riparian areas located within the exterior boundaries of the reservation. However, many areas are connected through watersheds and ultimately, the land uses upstream of reservation lands can and do affect reservation wetlands. Planning on a watershed scale requires partnerships and collaboration with outside agencies and groups such as USDA NRCS, USDOJ BLM, USDOJ BIA, US ACOE, local/county governments, and local watershed groups. It is this concept of planning on a watershed basis that is a crucial part of our work planned for the next five years, which will include developing and refining assessment methods, forming additional partnerships, and continuing to use GIS and NAIP imagery to monitor and assess wetlands on and near the reservation.

Overall Goal / Goal Statement

The overall goal of the tribal wetlands program is to quantify, assess, protect and conserve wetlands on and near the Northern Cheyenne Reservation and to assign appropriate management practices. Ultimately, the Northern Cheyenne Tribe Wetlands program aims to achieve a level of “no net-loss” of wetlands and an improvement in wetland quality and quantity in the watersheds in which the reservation lies. The Northern Cheyenne Tribe Wetlands Program seeks to carry out activities and duties within this Wetland Program Plan from 2013 to 2017.

EPA Core Elements Framework and the Northern Cheyenne Tribe Wetlands Program Timeframe of Activities

The EPA has established a framework of four core elements that comprise a wetlands program for effective management of this important resource. The elements are Monitoring and Assessment, Regulation, Restoration, and Water Quality Standards for Wetlands. All four of the core elements are addressed at some level by the tribal wetlands program. The element that is emphasized on the Northern Cheyenne Reservation is Monitoring and Assessment. Over the years, the tribal wetlands program has reviewed and practiced various monitoring and assessment methods and strategies. In addition, water quality standards for wetlands are another element where the program has seen success. In 2006, the Northern Cheyenne Tribe was granted Treatment as a State from EPA to develop water quality standards for reservation waters and wetlands. The standards for both are based on the sensitivity/tolerance of culturally significant plants to saline water. Below are specific objectives and actions toward addressing each core element. The program will incorporate all existing water quality standards and regulations as set forth by the Northern Cheyenne Tribe Aquatic Protection Ordinance.

Core Element: Monitoring and Assessment

Goal: Develop a monitoring and assessment strategy consistent with Elements of a State Water Monitoring and Assessment Program for Wetlands.

I. Define wetlands and assessment objectives and strategies.

Actions:

Timeframe: 2014-2019

A. Document wetlands monitoring strategy and identify monitoring objectives.

Activities supporting Actions:

- This activity was begun and initially completed in 2009 and 2010, this work focused on determining the extent of culturally significant plants. In addition, the strategy began with EPA Level 1 and 2 Assessments using rapid assessment approaches for sites selected for evaluation. [COMPLETED]
- 2014-2019 wetlands monitoring strategy and identify monitoring objectives will continue to be developed.
- In the future, Level 3 assessments will be considered for integration into wetlands monitoring and assessment as funding allows.

Timeframe: 2019

B. Continue to define data needs and uses.

Activities supporting Actions:

- Some data needs of the program were identified including the basic data needed for proper management of wetlands such as extent and location. This data need was partially met in 2010. Data need determinations will continue through 2015 and beyond as wetland mapping within more USGS topographic quads are mapped and field-verified.
- The NCT Environmental program and partners will review incoming data.

Timeframe: 2013-2019

C. Examine how to integrate wetlands monitoring into existing water quality monitoring efforts as feasible.

Activities supporting Actions:

- Collaboration with tribal CWA 106 program to identify ways in which the programs can work together to improve monitoring of reservation water and wetland resources. One option may be to begin using a water quality multi-probe to collect water quality data at wetland sites, which may not be the same sites that the 106 program routinely monitors.

Timeframe: 2013-2019

D. Investigate methods and systems to manage and store data that is collected in the field for assessments, including GIS and cultural plant identification data among others.

Activities supporting Actions:

- Determine the best organization of data including filing systems, electronically archiving data, and entry into a data management software system. The management software will be purchased after research and review of available programs.

II. Identify program decisions and long-term environmental outcome(s) that will benefit from a wetlands monitoring and assessment program.

Actions:

Timeframe: 2002

A. Document program's long-term environmental goals.

Activities supporting Actions:

- The wetlands program drafted a wetlands conservation plan in 2002, of which the primary overall long-term goal for wetlands management has been retained. [COMPLETED]

Timeframe: 2014-2019

B. Identify additional programs that will ultimately use monitoring data.

Activities supporting Actions:

- One program has been identified that may find monitoring data useful, which is the tribal historic preservation office, or THPO. They have found the data on culturally significant plants especially useful in determining which plants still exist within tribal waterways. Identification of more programs and stakeholders will be ongoing through 2015 and beyond as information is shared.

Timeframe: 2013-2019

C. Collaborate with water quality programs within the State and Tribe.

Activities supporting Actions:

- Once data is in a format and protocols for data-sharing are in place, data will be potentially shared with outside agencies, including State water quality programs, to assist in documenting ambient conditions of surface waters and wetland areas within watersheds of the reservation.

Timeframe: 2015

D. Identify how wetland data can be used to improve the implementation of watershed planning.

Activities supporting Actions:

- Plans are to develop a wetland reference site GIS layer and create maps showing extent of wetland size and type within the reservation and Rosebud Creek watershed and present these maps at meetings with county or locally-involved stakeholders to present Rosebud watershed mapping efforts and outline next steps of integrating wetlands into watershed-based planning.

III. Develop monitoring design, or an approach and rationale for site selection that best serves monitoring objectives.

Actions:

Timeframe: 2010

A. Determine classification scheme in order to group the type, class, and size of wetlands.

Activities supporting Actions:

- The classification scheme was determined using the Cowardin classification system and referencing the systems MTNHP and NWI use for classification of wetland types. [COMPLETED]

Timeframe: 2010-2019

B. Describe site selection process.

Activities supporting Actions:

Timeframe: 2010

- Site selection process has been based on historical sites evaluated as well as selecting new sites based on mapped USGS topographic quads. In the future, as more data are collected, we will consider plant composition, soil characteristics, and hydrology in the selection of reference sites. [COMPLETED]

Timeframe: 2014-2017

- In addition, a proposed addition to the existing monitoring is to include referenced photo point monitoring, especially in areas of the reservation that have been affected by wildland fire events. This activity is under consideration because the Northern Cheyenne Reservation experienced 3 major fire complexes in 2011 and 2012. Sites selected for additional monitoring may include those areas affected by wildland fire to observe how wetlands/riparian areas respond or re-establish after fire events.

Timeframe: 2015

C. List universe of NCT wetland resources from which sites could be selected if available.

Activities supporting Actions:

- List will be completed in 2013-2014 as part of an overall effort to gather and maintain a comprehensive list of wetland data sources.

Timeframe: 2013-2015

D. Determine which data are already available.

Activities supporting Actions:

- Reports from outside agencies such as USDOJ BIA have been collected and reviewed for data already available to the program. In addition, data collected in previous years are on file for use in selecting sites. [COMPLETED]

IV. Select a core set of indicators to represent wetland condition or a suite of functions.

Actions:

Timeframe: 2012-2019

A. Identify indicators that are relevant for established monitoring objectives.

Activities supporting Actions:

Timeframe: 2012

- Preliminary indicators have focused on the presence and proper identification of culturally significant plants. In 2010 and 2012, soil profiling was introduced for use as an indicator. [COMPLETED]

Timeframe: 2014-2019

- More indicators will be detailed and recorded, as the methods for assessment are refined over the course of this program plan.

Timeframe: 2014-2016

B. Confirm indicators are scientifically defensible.

Activities supporting Actions:

- Future, indicators will be reviewed to ensure they are scientifically defensible. Assistance from MT NHP may occur for this aspect of the plan.

Timeframe: 2014-2019

C. Select field methods to evaluate the overall effectiveness of current methods and to develop or revise methods as appropriate.

Activities supporting Actions:

- Field methods have changed over the years and in 2013-2014, it was proposed and funded to do a comparison of field assessment methods including the hydrogeomorphic method and Montana Dept. of Transportation methods. Portions of these methods along with aspects of MT NHP's methodologies will be used to create a method unique to the tribal wetlands program's goals and objectives.
- One other field method that may be implemented is referenced photopoint monitoring which will capture a site's condition over a set period of time. Photopoint monitoring will likely be a great supplement to current monitoring methods as well as providing potential usefulness for regulatory activities.

Timeframe: 2013-2015

D. Add supplemental indicators if needs dictate and as resources allow.

Activities supporting Actions:

- If funding allows, supplemental indicators will be reviewed for possible inclusion in the final tribal wetlands assessment methods. Methods and supplemental indicators may change based on the type of wetland being assessed.

V. Develop wetlands tools and outreach

Actions:

Time frame: 2016-2019

A. field guide and apps

Activities supporting Actions:

- develop a plant field guide to assist with those interested in identifying culturally significant wetland plants. The field guide will detail plant description, location, common uses, physical characteristics and photos. In addition, the field guide will be written from a Northern Cheyenne perspective, with the Cheyenne name (in Cheyenne language listed first), Cheyenne common name translated to English (i.e. local name for plant in English), common Western name, and Scientific name. As deemed appropriate and if permissions are allowed, the guide may also include Northern Cheyenne worldview to give context to how Northern Cheyenne view natural systems.
- Develop a web application for mobile web users with the same detailed information as the field guide. If Northern Cheyenne Tribe and/or Chief Dull Knife College permissions are approved and if funding allows, the app may also include voice recordings of a fluent Cheyenne speaker saying the name of the plant in the Cheyenne language, for each plant included in the app.

Time frame: 2016-2019

B. Additional outreach.

Activities supporting Actions:

- Develop educational outreach products based on wetlands. Exact products are to be determined based on staff discussions with partners.

- Conduct educational outreach on wetland components.

Core Element: Regulation

Goal: Clearly define the jurisdictional scope of the program

I. Provide clear and comprehensive jurisdictional coverage of aquatic resources.

Actions:

Timeframe: 2013-2017

A. Adopt definition of waters of the Northern Cheyenne Tribe.

Activities supporting Actions:

Timeframe: 2013

- The tribal water quality standards were approved by EPA in March 2013 with language supporting the creation of water quality standards for wetlands and including wetlands in the definition of waters of the Tribe. The definition of waters of the Northern Cheyenne Tribe as it pertains to wetlands is located in Chapter 1, section 3, subsection 3, subpart (37) and is as follows: "'Wetlands' means those areas that inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils conditions, including lotic, riparian, and lentic, pothole, wetlands. Wetlands are recognized as 'Waters of the Tribe.'" [COMPLETED]

Timeframe 2013-2017

- Federal regulations guidance has been collected and retained at EPD office for public review.

Goal: Administer regulatory activities efficiently and consistently.

Timeframe: 2013-2017

I. Develop and operate according to a clear and effective set of criteria for reviewing and responding to 401(c) applications.

Actions:

Timeframe: 2013-2019

A. Develop and implement internal procedures for responding to 401(c) applications by outside agencies/offices.

Activities supporting Actions:

- An operational procedure outlining a clear and appropriate manner of responding to applications has not been established. However, this activity is crucial and necessary to form the groundwork of a successful regulatory component of a wetlands program. The NCT EPD is proposing to draft such a procedure towards the development of a comprehensive wetland program into the future (2015-2017). This will be especially helpful when 401(c) applications by outside agencies, such as IHS, or tribal agencies, are submitted to NCT EPD in ensuring a timely response.
- Work with other tribal programs to ensure developments near wetlands and riparian areas meet tribal and federal compliance. Materials will be disseminated and review of applications, such as those for new home sites, will be reviewed as needed.

II. Actively review proposed impacts to shared waters of the Tribe and neighboring state.

Actions:

Timeframe: 2013-2019

A. Actively review proposed impacts to waters of the Tribe.

Activities supporting Actions:

- The NCT Wetlands Program will work proactively with the NCT 106 Water Quality Program to review proposed impacts to waters of the Tribe. Currently, field visits and meetings are held between the wetlands and 106 programs when a 401(c) application is submitted. Existing data sources are reviewed to help determine any impacts to the waters of the Tribe as well as coordination with the submitting agency to communicate concerns of the EPD.

Goal: Evaluate regulatory activities to ensure environmental results.

I. Monitor the implementation of permit/certification conditions

Actions:

Timeframe: 2013-2019

A. Track 401 certification conditions set by the Northern Cheyenne Tribe that are incorporated into the final permit.

Activities supporting Actions:

- The NCT Wetlands Program will work proactively with the NCT 106 Water Quality Program to track the 401 certification conditions incorporated into any approved final permit. The NCT will keep data on the permits including the amount of permits approved per year on the reservation, affecting waters of the Tribe, and the percentage of tribal conditions accepted and incorporated into permits. By tracking these conditions and permits, the wetlands program hopes to better quantify changes in waters of the Tribe and work towards eventually monitoring sites post-construction.

Timeframe: 2014-2019

B. Perform public education and outreach about wetland protection, regulated waters and activities, and authorization process.

Activities supporting Actions:

- The Wetlands program has a good relationship with the local schools as well as tribal departments. Numerous presentations were held over the course of the past few years to a variety of audiences from high school students to livestock operators. Presentations are created and presented at agricultural workshops, school career fairs, cultural resource trainings, and informational sessions held with tribal government officials.
- Outreach to educate the public on tribal and federal regulations to help the public understand the importance of the regulations. Activities to this end will include hosting seminars, conducting presentations at local schools, establishing informational booths at local events such as pow-wows and career fairs, and writing periodic articles for publication in local newspapers. Materials will also be obtained from EPA Region 8 to distribute at events listed above and will be made available on the Northern Cheyenne tribal website. The Wetlands program would like to make all presentations and brochures available for online access going into the future.
- The Wetlands program also creates and updates written material for the public. There are two brochures on NCT tribal wetlands and wetlands program activities. The

Wetlands program also utilizes existing information sheets by EPA to educate the public on the regulatory processes surrounding wetlands. These materials are made available at our office and are used in all presentations.

Core Element: Voluntary Restoration

Goal: Clearly and consistently define restoration and protection goals throughout the Northern Cheyenne Reservation.

I. Establish goals that are consistent or compatible across relevant agencies.

Actions:

Timeframe: 2015-2019

A. Develop a multi-agency body to coordinate restoration/protection efforts as needed.

Activities supporting Actions:

- Will hold at least 2 meetings with tribal and other agencies to draft a strategy for future steps in developing a watershed-based approach to wetlands protection. Part of this will also be met in conducting a tribal policy/ordinance review to avoid duplicative efforts of each respective office while also determining any shortfalls in the policies/ordinances.

Timeframe: 2013-2015

B. Continue to gather information on wetland location, class and condition/functions.

Activities supporting Actions:

Timeframe: 2012-2013

- Information from digital wetland mapping on wetland location, class, and condition/functions has been ongoing since 2010. EPA Level 1 assessments have been conducted by MT NHP for the tribal program using USDA NAIP imagery. Level 2 assessment training occurred in 2012 with Level 2 assessments, rapid assessments, and field verifications conducted on selected sites. *[COMPLETED]*

Timeframe: 2013-2015

- Additional information will be gathered in 2013-2015 and beyond using the same Level 1 assessment strategy with MT NHP for the Rosebud Creek watershed. Field data will be collected using MT NHP's approach to assessments as well using other methods such as the hydrogeomorphic method and Montana Dept. of Transportation's methods. GPS will be used in the data collection. Collaboration with Natural Resources Department's Summer Youth program will occur for the youth to get training in and assist with cultural plant identification.

II. Consider watershed planning, wildlife, habitat, and other objectives when selecting restoration/protection sites.

Actions:

Timeframe: 2013-2019

A. Identify rare, vulnerable, or important wetlands and prioritize for restoration/protection.

Activities supporting Actions:

- Wetlands that have been severely impacted from human use will be prioritized for restoration/protection. Particular focus will be on sites with heavy agriculture use and those sites found within urban or developed areas (i.e. within townsites).

Timeframe: 2013-2019

B. Apply tools (GIS, color-infrared photography, mapping, modeling, field inspection of soil, vegetation, and hydrologic conditions) to identify and prioritize restorable wetlands.

Activities supporting Actions:

- Field inspection will be the primary tool applied to identify restorable wetlands with the use of modeling and color-infrared photography as funding allows.

Core Element: Water Quality Standards for Wetlands

Goal: Ensure that wetlands are treated as waters within tribal water quality programs.

I. Adopt an appropriate definition of wetlands.

Actions:

Timeframe: 2013-2019

A. Include wetlands in tribal legal definition of waters.

Activities supporting Actions:

Timeframe: 2006

- The Northern Cheyenne Tribe was granted TAS status by EPA and the Tribe subsequently submitted water quality standards for wetlands in the tribal legal definition of waters. In March of 2013, the Northern Cheyenne Tribe Water Quality Standards were approved by Region 8 EPA with the exception of the EC and SAR standards. [COMPLETED]

Timeframe: 2013-2019

- EPA may approve EC and SAR standards within the next two years, pending ongoing research.

Timeframe: 2014-2017

B. Ensure legal definition of waters is at least as inclusive as the CWA definition.

Activities supporting Actions:

- The definition used in the tribal WQS will be reviewed with tribal 106 Coordinator to ensure the definition is at least as inclusive as the CWA definition.

Timeframe: 2013 -2014

C. Remove any regulatory language excluding defined wetlands from water quality standards.

Activities supporting Actions:

- Tribal Water Quality Standards were recently re-submitted to EPA (Dec 2011). The current draft of standards will be reviewed with 106 Coordinator to ensure language does not exclude wetlands from WQS. In addition, a tribal policy review will be performed with other tribal agencies to ensure there is no overlap or duplicative efforts being performed in the regulation and protection of wetlands.

II. Ensure the appropriate wetlands definition is included in Tribal Water Quality Standards.

Actions:

Timeframe: 2013-2015

A. Include the appropriate definition of wetlands in tribal policy or regulations authorizing water quality standards program.

Activities supporting Actions:

Timeframe: 2013

- The Tribal Water Quality Standards have included wetlands in the definition of waters of the reservation. Purchase and procurement of GIS infrastructure as well as mapping work and training completed with MTNHP has helped in defining wetlands in an appropriate manner. [COMPLETED]

Timeframe: 2013-2015

- In the event that a policy review finds a discrepancy between tribal regulations, such discrepancies will be revised and approved via Tribal Council resolution to reflect an appropriate definition of wetlands.