

PUBLIC NOTICE

Antidegradation Decision – Exceptional Resource Waters and Outstanding Resource Waters Potato River Road Project

The Tribe seeks comments on Runoff from rain events in 2016 caused a washout of Potato River Road and surrounding areas, including the north bank of Vaughn Creek. Stabilization of roadway/creek bank is necessary to ensure additional soil erosion does not occur.

Project Summary

This project consists of relocation and stabilization of approximately 1,050 LFT of Potato River Road to the northeast of the current location and stabilization of approximately 275 LFT of the north bank of an unnamed creek, named in this and supporting documents as North Vaughn Creek. The proposed activity will include:

Erosion control, Mobilization to site, Clearing & grubbing, Relocation of roadway and stabilization, Restoration and stabilization of bank slopes, Removal of Erosion Control

ORW: Must identify that no increased loads of BCCs shall be discharged. Demonstrate that there will be achieved the highest statutory and regulatory requirements for new and existing pollution sources.

Erosion Control will be part of the project including but not limited to: Silt Fence, Turbidity Barrier, Erosion Mat, Seed, Fertilizer and Mulch, Riprap with Fabric

The Tribe is currently evaluating whether the project meets the Antidegradation Demonstration requirements and the Decision criteria described in the Tribe's WQS and seeks comments on the proposed work and conditions needed to avoid and minimize potential impacts to the water resources. All comments are considered during the project review. Additional information may be obtained by contacting the Water Regulatory Specialist at (715) 979-1370 or WaterReg@badriver-nsn.gov. Written comments may be emailed or sent by US Mail to:

Lorrie Salawater, Water Regulatory Specialist
Mashkiizibii Natural Resources Department
P.O. Box 39
Odanah, WI 54861

Comment deadline is July 31, 2021

Background

On July 6, 2011, the Bad River Band of Lake Superior Tribe of Chippewa Indians adopted **Water Quality Standards (WQS)**. The Antidegradation policy within the Water Quality Standards protects existing uses and prevents clean waters from being unnecessarily degraded. Under this policy, each waterbody is assigned to a tier that provides a basis for addressing activities that have the potential to lower water quality. Tiers identified in the Tribe's antidegradation policy include: Outstanding Tribal Resource Waters (Tier 3 waters), Outstanding Resource Waters (Tier 2.5 waters), and Exceptional Resource Waters (Tier 2 waters). The Antidegradation Policy holds that **no new or increased discharges or alterations of the background conditions are allowed to Outstanding Tribal Resource Waters; however, a short-term, temporary lowering of water quality may be allowed if applicable Antidegradation Demonstration and Decision requirements are met, as described in the WQS.**

A webmap of the Reservation waterways and wetlands, highlighting the tiers associated with each waterbody, may be found on the Bad River website (under Services>Natural Resources>Maps & GIS Services. The link is found in the Interactive Maps section).
<http://www.arcgis.com/apps/View/index.html?appid=6f44c371217e4ee8b5f1c2c705c7c7c5>