

PUBLIC NOTICE

Antidegradation Decisions for Exceptional Resource Waters Bayfield Electric Coop Pole Replacement

The Tribe seeks comments on Bayfield Electric will be replacing poles that need to be replaced.

Project Summary - Notice Date February 22, 2023

Bayfield Electric Coop tested all the power poles on the Bad River Reservation in the fall of 2022. After completion, 16 poles failed inspection and need to be replaced. Poles located next to the road or on high ground will be replaced using digger derrick and bucket trucks. Poles located in wetland areas will be replaced using tracked equipment. The old poles will be pulled out of the ground and new ones replaced in the same location. Bayfield Electric Coop will auger a 18" hole 6' deep and set the new pole in hole. The new pole will be back filled with the existing soil augered from hole.

Emergency Work - Notice Date March 7, 2023

Notice is hereby given that the Mashkiibiizii Natural Resources (MNRD) drafted an Anti – Degradation Decision on March 7, 2023 for an emergency response for an electrical pole that may pose an impact to public safety, health or welfare. On February 28, 2023, Bayfield Electric Coop informed the MNRD that there was one pole within the Reservation classified as an immediate concern and needed replacement.

Starting on March 8, 2023, or early the following week, Bayfield Electric Coo will cut down pole 3204, at grade level, and install two new poles to alleviate future problems associated with the original pole location. Bayfield Electric Coop will complete repairs to the utility line as necessary.

The location of the emergency work for the pole replacement is associated with Exceptional Resource Water (Tier 2 Waters), Outstanding Tribal Resource Waters (Tier 3), and is near a Wild Rice Wetland protected for cultural, wildlife, aquatic life and fish, and recreational uses among other uses.

The MNRD is soliciting public comments on the work sites and impacts to the natural resources. Copies of this notice, the Anti- Degradation Decision Draft, and supporting information are on file and available for public inspection from 8:00 a.m. to 4:30 p.m. Monday through Friday at MNRD Offices in the Chief Blackbird Center, address 72682 Maple Street, Odanah, Wisconsin.

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 Resources Program Manager at (715) 682-7123 or WQS@badriver-nsn.gov. Written comments may be emailed or sent by US Mail to:

Chris McNerney, Water Resources Program Manager
Mashkiiziibii Natural Resources Department
P.O. Box 39
Odanah, WI 54861

Comment deadline is March 24, 2023

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>