

Posted 09/16 /2024

PUBLIC NOTICE

Antidegradation Decision – Exceptional Resource Waters Bad River Gaming Facility and Gas Station Parking Lot Maintenance

The Tribe seeks comments on the proposed Antidegradation Decision related to the Bad River Gaming Facility and Gas Station Parking Lot Maintenance Project proposed by the Bad River Roads Department.

Project Summary

The Bad River Roads Department has proposed to resurface the main entrance parking lot of the Bad River Gaming Facility and Gas Station. The project consists of removing the current pavement, installing the proper drainage, grading, repaving all bituminous areas and installation of culverts, including installation of Electrical Vehicle (EV) Charging Stations and Green Island Power Stations. Renovation of the main entrance will provide a safer environment for the high-traffic areas and an adequate drainage system under the parking lot's surface. Anticipated wetland impacts include 0.32 acres of temporary wetlands impact along the northeast side of the Moccasin Trail IGA Store. These activities may have potential impacts to Exceptional Resource Waters (Tier 2 waters). All the wetlands are classified as Exceptional Resource Waters under the Tribe's Antidegradation Policy.

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. Written comments may be emailed or sent by US Mail to:

Kaylee Houle, Water Regulatory Specialist
Mashkiizibii Natural Resources Department (MNRD)
P.O. Box 39
Odanah, WI 54861
waterreg@badriver-nsn.gov

Comment deadline is October 15, 2024.

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 water from being unnecessarily degraded. Under this policy, each waterbody is assigned to a tier that provides a basis for addressing activities that have been 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 Water Quality Standards.

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