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PUBLIC NOTICE

Antidegradation Decision – Exceptional Resource Waters Residential Development for Patricia Jens Property.

The Tribe seeks comments on the proposed Antidegradation Decision related to the Residential Development for Patricia Jens' property.

Project Summary

Patricia Jens is proposing to construct a new 24 foot by 36-foot storage building on her property located at 65512 Henderson Dr, Ashland WI 54806. There will be tree removal, grading and building construction in the south end of the property. This property contains wetlands that are considered Exceptional Resource Waters (Tier 2). Patricia will be constructing a new storage building outside of the wetlands using construction BMPs (best management practices) during the project.

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 12, 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>