

PUBLIC NOTICE

Antidegradation Decision – Exceptional Resource Waters Phase II of the Old Head Start Project

The Tribe seeks comments on the proposed Antidegradation Decision related to Phase II of the old Head Start Project.

Project Summary

The Bad River Facilities Department is proposing a construction project involving the creation of a foundation, modification of drainage systems, and the installation of utilities for a new prefabricated childcare building. The proposed project will involve constructing a crawlspace to accommodate the new childcare building, re-grading the project area to improve surface drainage and prevent water pooling on site, and creating a shallow swale to direct water from the project site in a northly direction to a drainage ditch located along Maple Street. There will be Exterior and Interior drain tiles installed to facilitate efficient water management around the new building, and the water and gas lines will be extended to the new building to support the facility's operation. The proposed project will provide a safe, well-managed environment for the new childcare building, while also improving the site's drainage and utility systems. Best Management Practices (BMPs) will be implemented throughout the duration of the project water resources, manage stormwater runoff, and minimize any potential environmental impacts during construction. The proposed project is anticipated to commence in October 2025.

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*
Mashkiiizibii Natural Resources Department (MNRD)
P.O. Box 39
Odanah, WI 54861
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Comment deadline is **September 27, 2025.**

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 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>