

PUBLIC NOTICE

Clean Water Act, Section 401 Certification – Bayfield Electric Cooperative 3-Phase Burial to Birch Hill Project

Bayfield Electric Coop (BEC) proposes to upgrade portions of its existing electrical infrastructure within the Bad River Reservation. The US Army Corps of Engineers is evaluating this project under their authorization.

In accordance with Section 401 of the Clean Water Act (CWA), the Bad River Band of Lake Superior Tribe of Chippewa Indians is evaluating the submitted materials to determine if there is reasonable assurance—with conditions—that the activities associated with the Army Corps of Engineers' potential authorization will be consistent with relevant water quality considerations.

The Tribe seeks comments on its proposed CWA Section 401 Certification of the Army Corps' proposed authorization for this project. All comments are considered during the project review. The 30-day public comment period ends on 05/29/2026.

Project Summary

Bayfield Electric Coop (BEC) proposes to upgrade portions of its existing electrical infrastructure within the Bad River Reservation. The project includes installation of a new electrical line within BEC's existing corridor, extending from the step-down structure on Miller Road to the south side of Highway 2, across from the Bad River Casino. From this point to the top of Birch Hill, existing power poles will be replaced. From the top of Birch Hill Road going south to the solar field, the new electrical line will be installed underground. The proposed project consists of vegetation removal, grading, vibratory plow and directional drilling. The purpose of the proposed project is to support tribal development needs. Construction is anticipated to begin in the summer of 2026. All wetlands are classified as Exceptional Resource Waters (Tier 2 Waters) under the Tribe's Antidegradation Policy.

Additional information may be obtained by contacting the MNRD Water Regulatory Specialist at waterreg@badriver-nsn.gov. Written comments may be emailed or sent by US Mail to:

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Comment deadline is May 29, 2026