

PUBLIC NOTICE

Clean Water Act, Section 401 Certification – Bad River Wastewater Discharge Access Road Improvement Project

The Bad River Water and Sewer Department has proposed improvements to the existing access road serving the Wastewater Treatment Facility (WWTF) located north of USH 2 and east of the Bad River Reservation. The US Army Corps of Engineers is evaluating this project under their Transportation Regional General Permit.

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 **10/21/2026**.

Project Summary

The Bad River Water and Sewer Department has proposed improvements to the existing access road serving the Wastewater Treatment Facility (WWTF) located north of USH 2 and east of the Bad River Reservation. The proposed project includes construction of approximately 850 feet of gravel access road extending to the wastewater treatment facility discharge point at the Bad River. Improvements to the existing two-track access path include widening the route to approximately 12 feet, removal of fallen trees and underbrush within the construction corridor, placement of fill material to improve roadway grade and drainage, and installation of a culvert at a low-lying area subject to seasonal ponding and rutting. The project is expected to utilize the existing disturbed corridor to the greatest extent practicable and is anticipated to require minimal vegetation clearing, with no major tree removal expected. Construction activities are anticipated to begin late Fall of 2026.

The project area contains wetlands designated as Exceptional Resource Waters (Tier 2 waters) and Outstanding Resource Waters (Tier 2.5 waters) under the Tribe's Antidegradation Policy and are protected for cultural, wetland, wildlife, aquatic life and fish, and recreational uses among other uses.

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:

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

Comment deadline is October 21, 2026

Posted: September 21, 2026