

APPLICANT:

Northern Natural Gas c/o Kelly Henry 1120 Centre Pointe Dr, Suite 400

Mendota Heights, MN

55120

REFER TO: MVP-2024-00330-DDP

Public Notice

ISSUED: April 24, 2024 EXPIRES: May 9, 2024

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge dredged and fill material into wetlands for the purpose of conducting line verification digs (FID's) and maintenance on the Rib Lake (WIB22301) and Carlton-Iron River (M432B) natural gas pipelines.

2. SPECIFIC INFORMATION

AGENT Merjent

c/o Lindsay Tekler and Monica Entinger

1 SE Main St Unit 300 Minneapolis, MN 55414

PROJECT LOCATION: The overall project would encompass 31 line verification dig locations along WIB22301 and two line verification dig locations along M432B as shown on the table below and figures attached.

Site/Group #	Line	County	Section, Township & Range	Total Temporary Wetland Disturbance (ac.)
1	WIB22301	Ashland	T45N, R2W, S9, 10, 15,	8.58
			16, and 17	
2	WIB22301	Ashland	T45N, R2W, S20	1.38
3	WIB22301	Ashland	T45N, R2W, S29	0.35
4	WIB22301	Ashland	T45N, R2W, S29	0.07
5	WIB22301	Ashland	T45N, R2W, S32	0.47
9	WIB22301	Ashland	T44N, R2W, S17	0.77
10	WIB22301	Ashland	T44N, R2W, S20 and 21	1.22
11	WIB22301	Ashland	T44N, R2W, S28 and 33	2.49
12	WIB22301	Ashland	T44N, R2W, S34 and	0.72
			T43N, R2W, S3	
13	WIB22301	Ashland	T43N, R2W, S3	1.84
14	WIB22301	Ashland	T43N, R2W, S10 and 15	2.52
16	WIB22301	Ashland	T43N, R2W, S23	0.34
17	WIB22301	Ashland	T43N, R2W, S26	1.93
18	WIB22301	Ashland	T43N, R2W, S26 and 35	1.16
19	WIB22301	Ashland	T43N, R2W, S35	0.51
20	WIB22301	Ashland	T42N, R2W, S1	0.12
21	WIB22301	Ashland	T42N, R2W, S12	0.18

26	WIB22301	Ashland	T42N, R1W, S19	0.02	
28	WIB22301	Ashland	T42N, R1W, S30	0.93	
30	WIB22301	Ashland	T41N, R1W, S5	1.40	
31	WIB22301	Ashland	T41N, R1W, S9	0.18	
32	WIB22301	Ashland	T41N, R1W, S9	0.43	
33	WIB22301	Ashland	T41N, R1W, S16	0.10	
34	WIB22301	Ashland	T41N, R1W, S16	0.43	
37	WIB22301	Ashland	T41N, R1W, S27	0.97	
38	WIB22301	Ashland	T41N, R1W, S34	1.39	
39	WIB22301	Price	T40N, R1W, S3 and 10	0.43	
43	WIB22301	Price	T40N, R1W, S15	0.16	
44	WIB22301	Price	T40N, R1W, S22	0.28	
45	WIB22301	Price	T40N, R1W, S26	1.89	
46	WIB22301	Price	T40N, R1W, S25 and 26	0.59	
47	M432B	Douglas	T47N, R15W, S10	1.02	
	(FID 2936-2937)				
48	M432B	Douglas	T47N, R13W, S10	1.53	
	(FID 5359-5406)				
			Total: 36.4		

DESCRIPTION OF PROJECT: As part of its pipeline integrity program, Northern Natural Gas has conducted an in-line inspection of the Rib Lake (WIB22301) and Carlton-Iron River (M432B) natural gas pipelines and identified segments that require visual inspection and possible maintenance work. Construction activities associated with the verification digs include the digging of a trench to visually inspect the pipeline and conduct maintenance to the line if necessary. Dredged material would be temporarily sidecast on construction matting within the work area and replaced upon completion of the project. Work is planned for the 2024 construction season and all temporary construction matting would be removed within 60 days of placement and disturbed areas would be restored to pre project conditions.

QUANTITY, TYPE, AND AREA OF FILL: The regulated activities associated with the project described above include the temporary discharge of dredged and fill material into 36.4 acres of wetland for access, work area, excavation & backfill. Trench size is anticipated to be up to 20 feet wide, up to 10 feet deep. Temporary wetland disturbance would be returned to pre-construction contours following project completion and areas of ground disturbance would be seeded with a native seed mix.

VEGETATION IN AFFECTED AREA: A variety of wetland types are proposed to be impacted the majority of which are located within an existing pipeline right-of-way (ROW) consisting of herbaceous plant communities. Herbaceous, and woody shrub vegetation may be mowed within the proposed workspaces. Minor Tree clearing is anticipated at sites 1, 2, 3, 4, 5, 10, 11, 13, 14, 21, 28, 31, 32, 34, 37, 38, 39, 44 and 46 to re-establish the edges of the existing ROW. All clearing would be non-mechanized and stump grinding would not occur. These areas will be allowed to revegetate upon project completion.

SOURCE OF FILL MATERIAL: All fill material utilized for this project would either be generated on-site or hauled in from a licensed source and would be free of contaminants.

SURROUNDING LAND USE: The dig sites are located within an existing pipeline right-of-way (ROW) consisting of herbaceous uplands and wetlands identified by the Wisconsin Wetland Inventory (WWI). Surrounding land use consists predominantly of forested upland and wetland habitat located on both sides of the ROW.

DESCRIPTION OF EXCAVATION: The trenching dimensions would be the minimum necessary to conduct the pipeline inspection and maintenance. Material would be temporarily sidecast on construction matting within the work area to prevent soil mixing with the natural ground surface. During excavation, topsoil would be segregated from subsoil. Appropriate perimeter sediment control would also be installed surrounding temporary spoil piles. During backfilling, soils would be replaced to their appropriate stratum and the area restored to preexisting conditions, including elevation and vegetation.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: The applicant does not propose to use any potentially toxic materials. All fill material used on-site would be free of contaminates.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Implementation of construction BMPs (equipment washing, silt fence and reseeding of disturbed areas) are proposed to minimize impacts. All temporary wetland soil disturbance would be returned to pre-construction contours.

MITIGATION: Compensatory mitigation has not been proposed by the applicant. The project would be evaluated by the Corps for the loss of wetland functions and potential compensatory mitigation to offset those losses may be required in accordance with the 2008 Federal Mitigation Rule.

3. FEDERALLY LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT

The USFWS Official Species List of Federally listed threatened or endangered species was generated for the project. The following species are said to reside in Douglas, Price and Ashland Counties, Wisconsin:

MAMMALS

NAME STATUS

Canada Lynx Lynx canadensis

Threatened

Population: Wherever Found in Contiguous U.S.

There is final critical habitat for this species. Your location does not overlap the critical habitat.

Species profile: https://ecos.fws.gov/ecp/species/3652

Gray Wolf Canis lupus

Endangered

Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA,

VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico.

There is final critical habitat for this species.

Species profile: https://ecos.fws.gov/ecp/species/4488

Northern Long-eared Bat Myotis septentrionalis

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045

Tricolored Bat Perimyotis subflavus

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515

Endangered

Proposed Endangered

FLOWERING PLANTS

NAME STATUS

Fassett's Locoweed Oxytropis campestris var. chartacea

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/209 Threatened

BIRDS

NAME STATUS

Whooping Crane Grus americana

Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY)

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758 Experimental Population,

Non-Essential

INSECTS

NAME STATUS

Monarch Butterfly Danaus plexippus

Candidate

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerned Federally listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

4. JURISDICTION

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

5. SECTION 401 WATER QUALITY CERTIFICATION

Valid Section 404 permits cannot be issued for any activity unless water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The Section 401 authority for this project is The Wisconsin Department of Natural Resources. A Department of the Army permit will not be granted until The Wisconsin Department of Natural Resources has issued or waived Section 401 WQC certification and the U.S. Environmental Protection Agency (USEPA) neighboring jurisdiction process is completed. Corps Section 404 Clean Water Act decisions may not be finalized until after the USEPA completes this process.

6. HISTORICAL/ARCHAEOLOGICAL

This public notice is being sent to the National Park Service and the State Archaeologist for their comments. The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps' determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

7. PUBLIC HEARING REQUESTS

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

8. PUBLIC INTEREST REVIEW

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

9. COASTAL ZONE MANAGEMENT

The Wisconsin Coastal Management Program (WCMP) is conducting a federal consistency review to verify the activities considered under this permit will comply with state coastal policies. Comments should be received by WCMP within 21 days. Further information may be obtained from: coastal@wisconsin.gov; http://coastal.wisconsin.gov.

REPLIES/COMMENTS

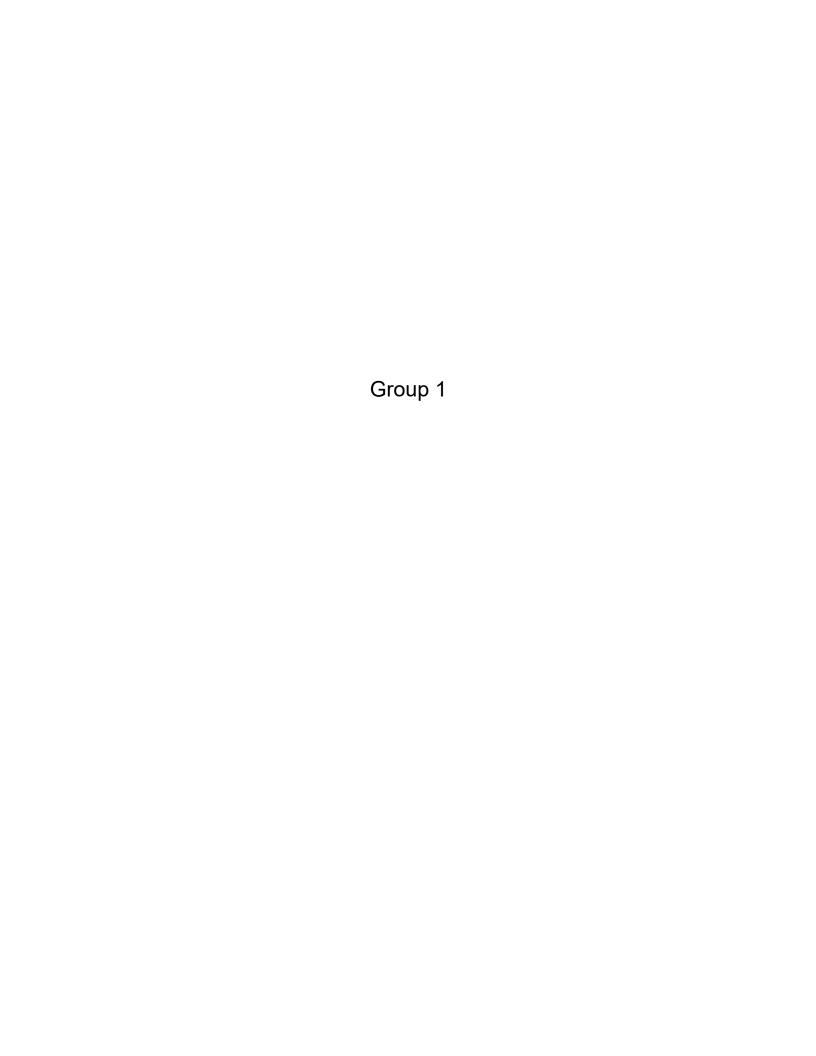
Interested parties are invited to submit to this office written facts, arguments, or objections by the expiration date indicated above. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

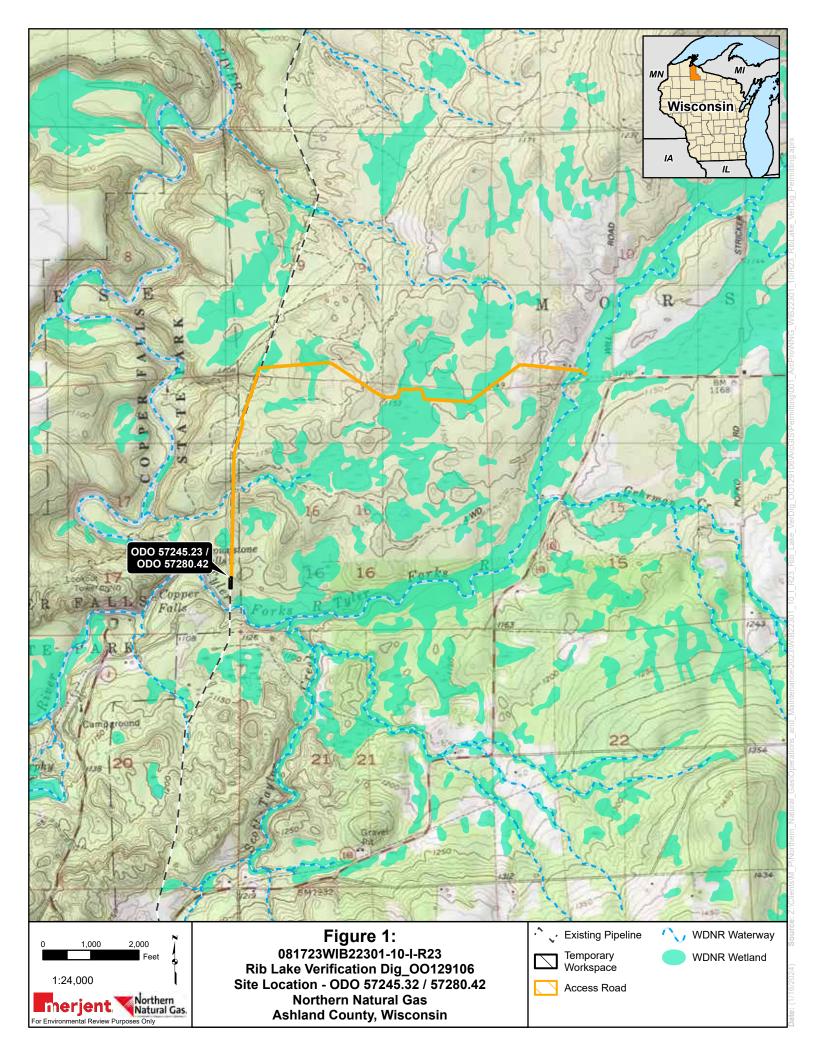
Replies may be sent to David Palme at David.D.Palme@usace.army.mil.

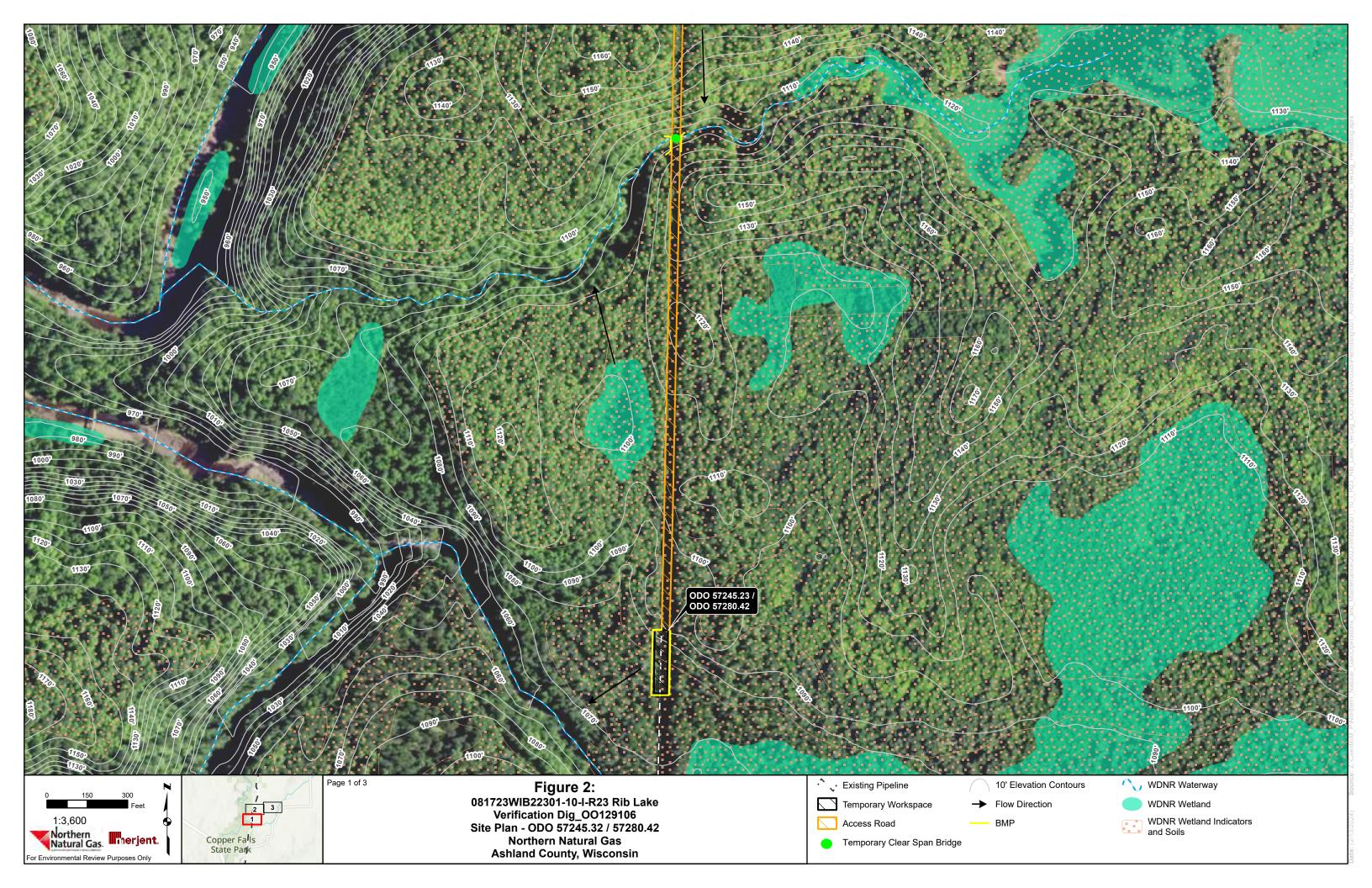
IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact <u>David Palme</u> at the Stevens Point office at 651-290-5880 or David.D.Palme@usace.army.mil.

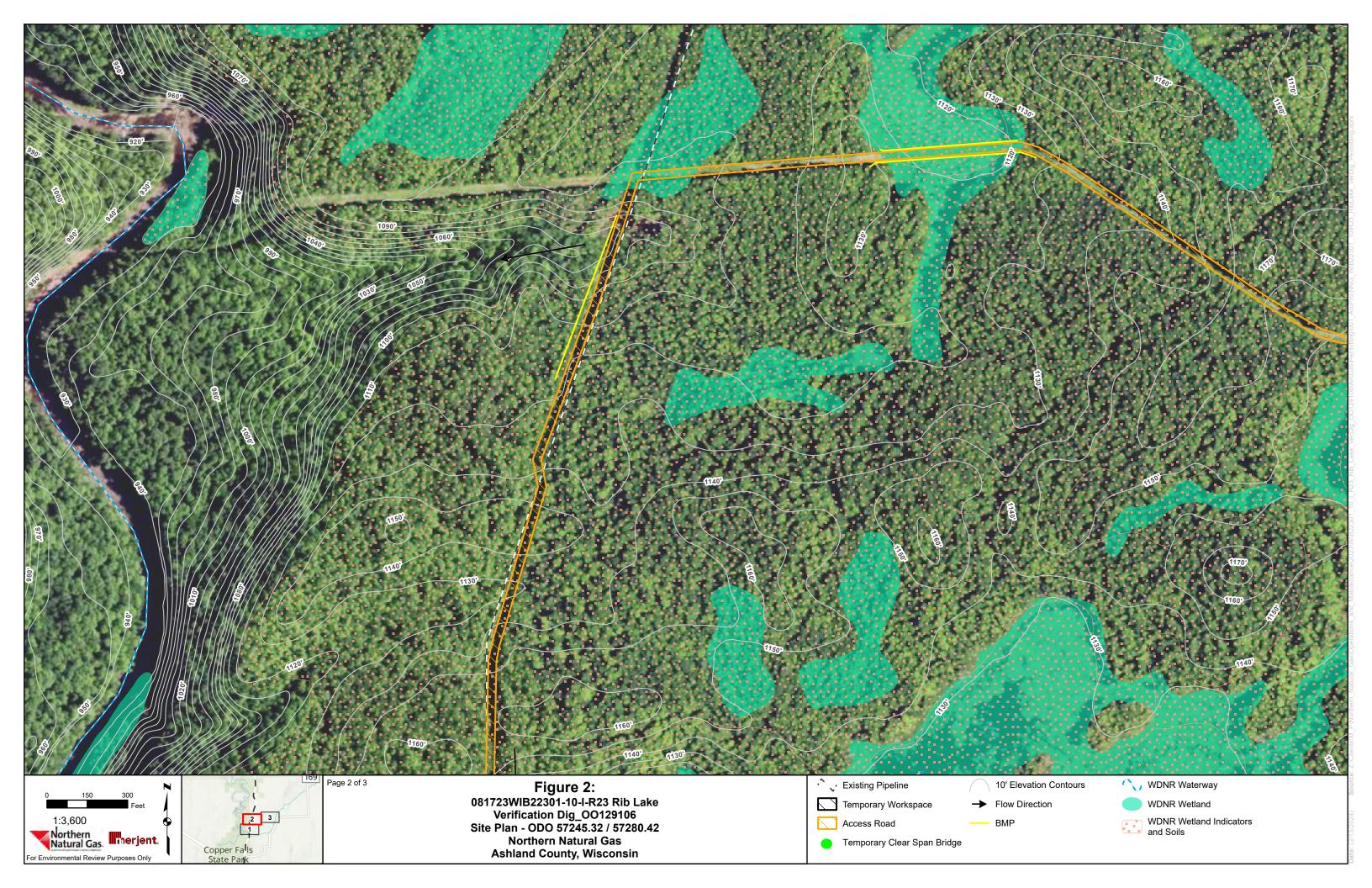
To receive Public Notice notifications, go to: https://www.mvp.usace.army.mil/Contact/RSS/ and subscribe to the RSS Feed for which you would like to receive Public Notices.

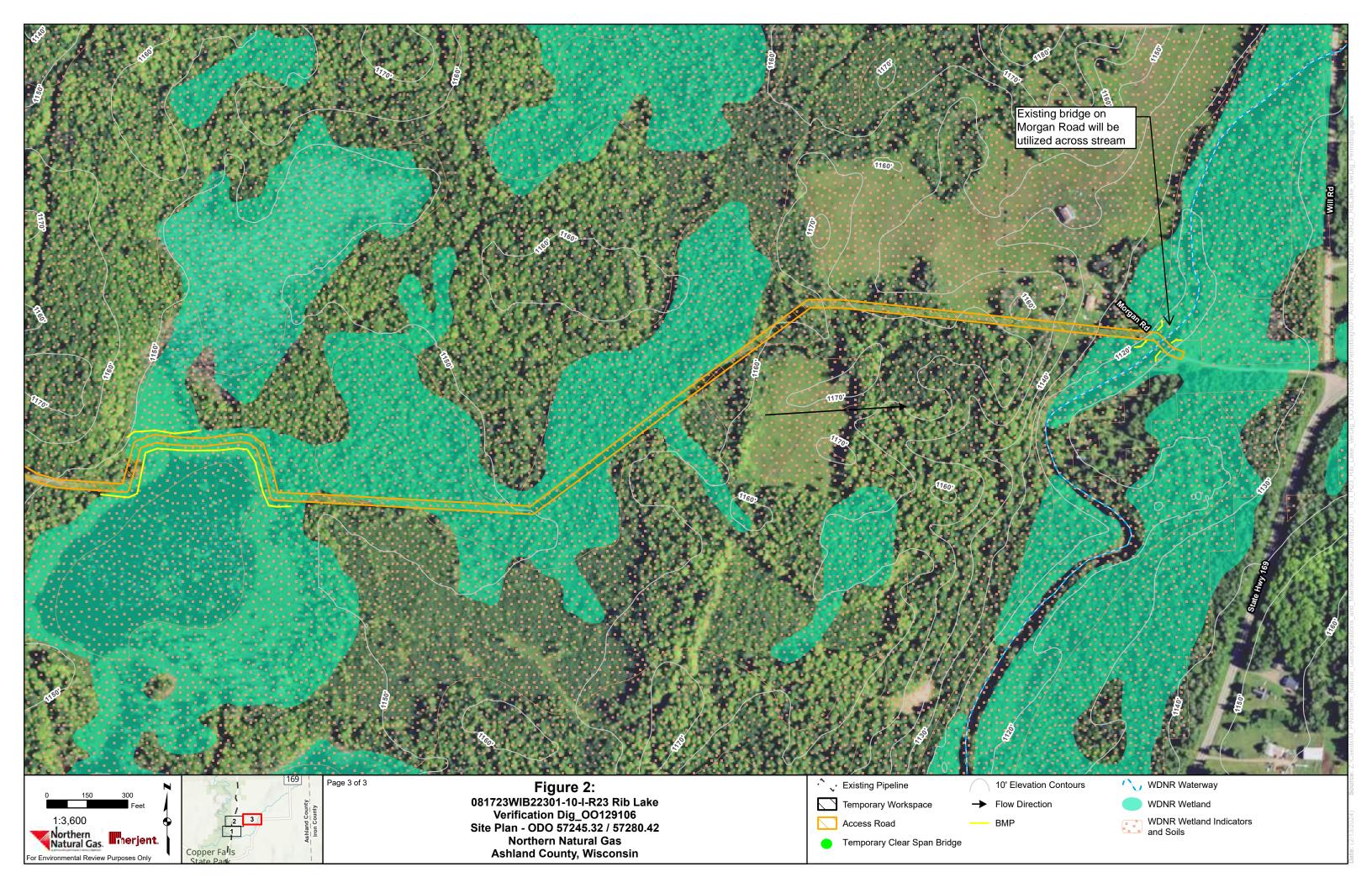
Enclosures: 2024-00330-DDP PN Figures



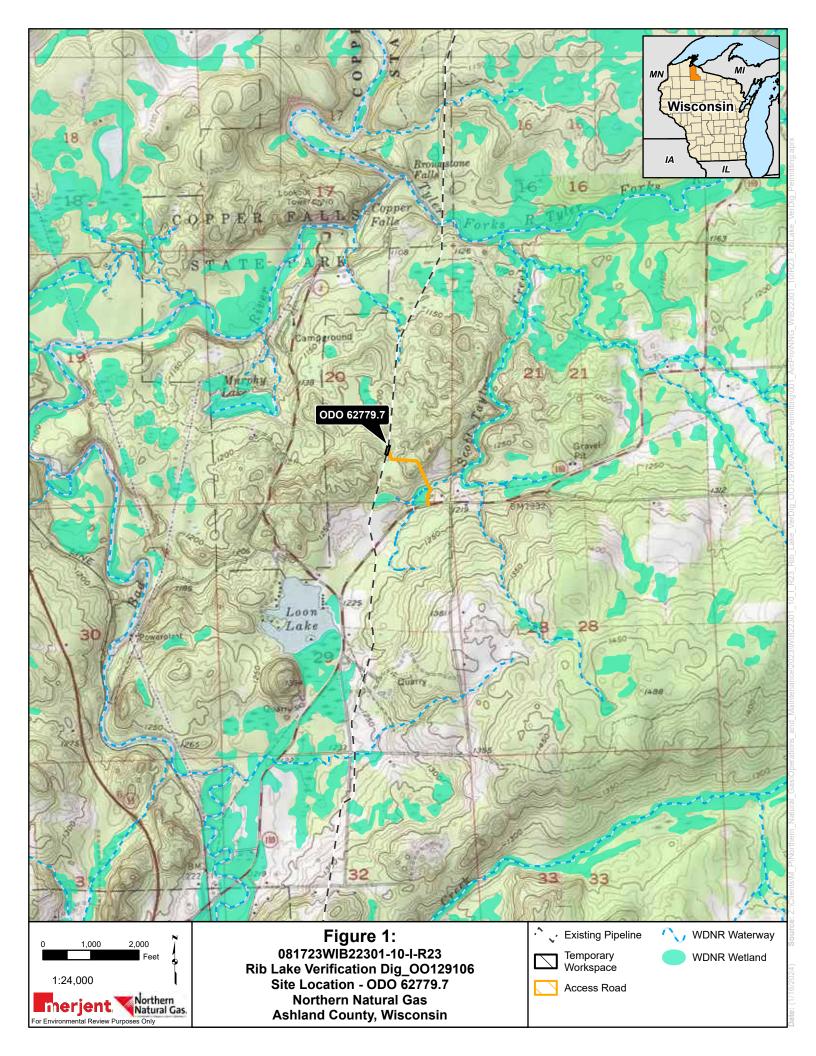


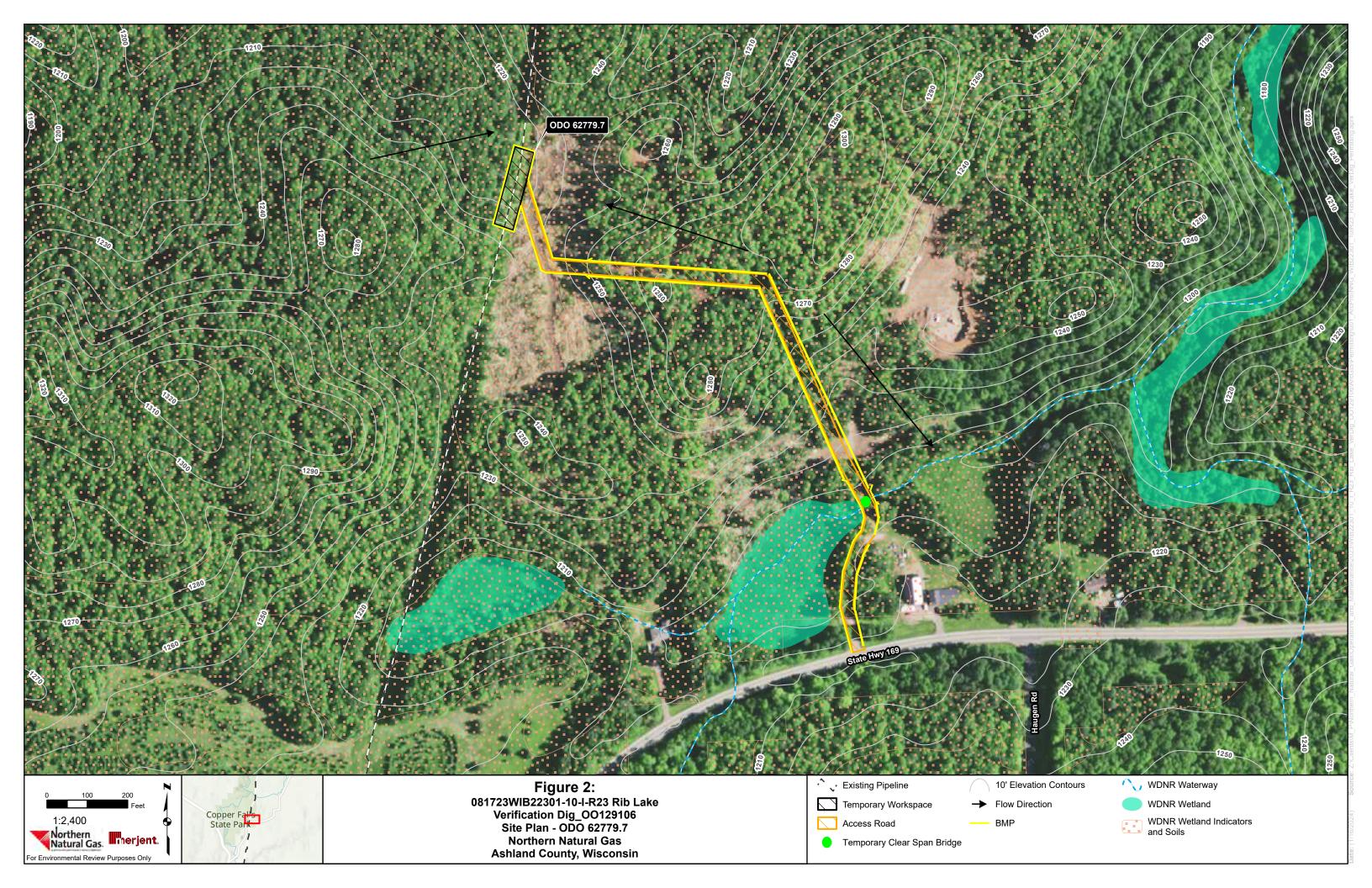




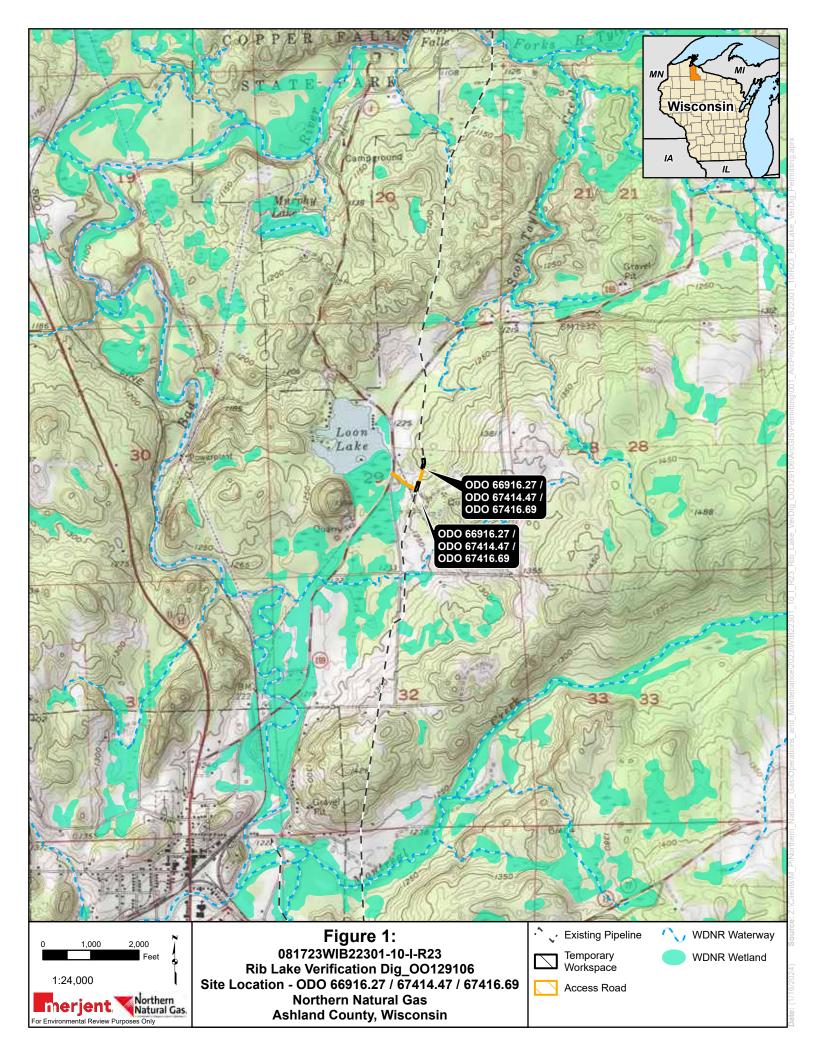


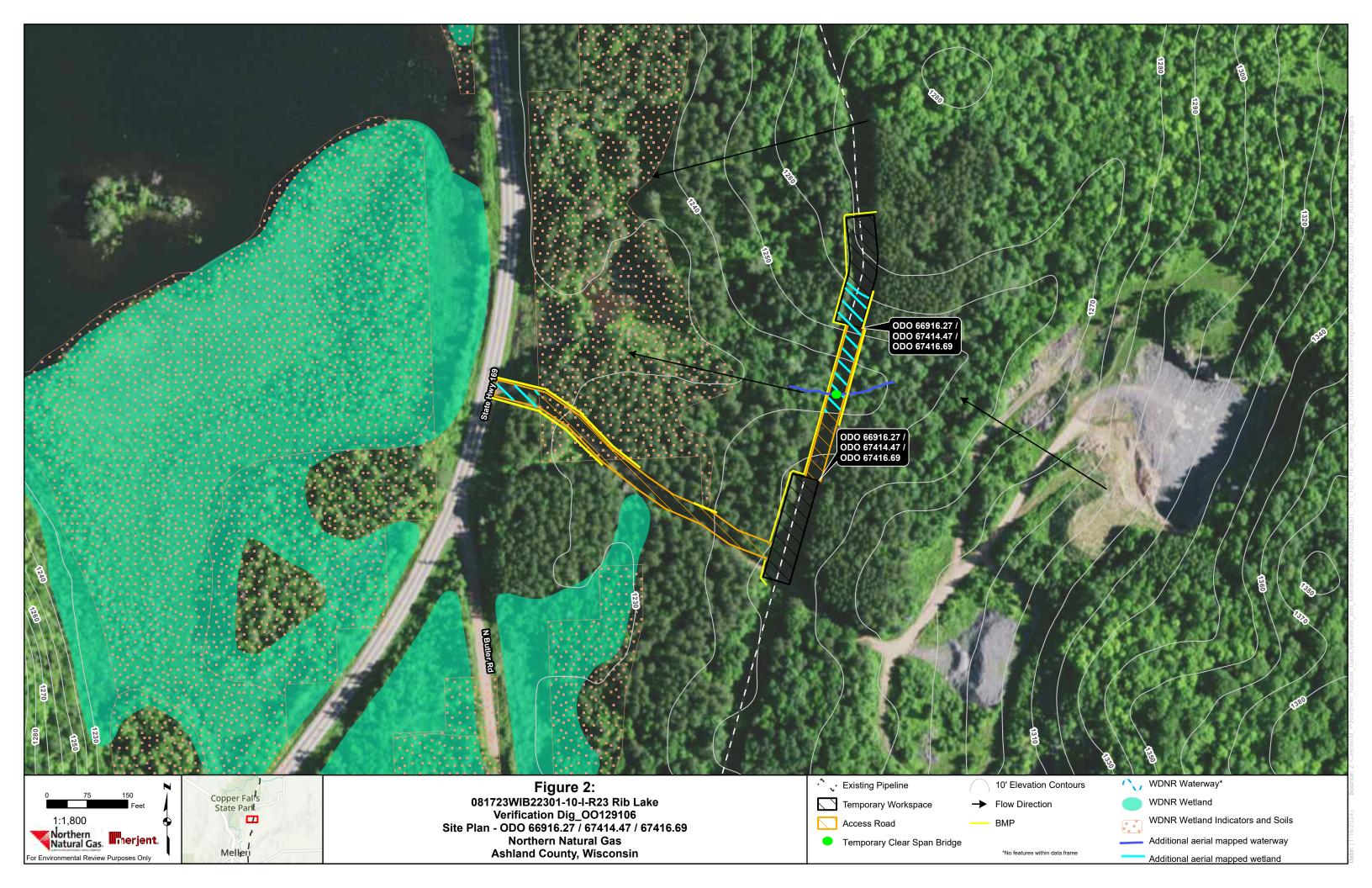


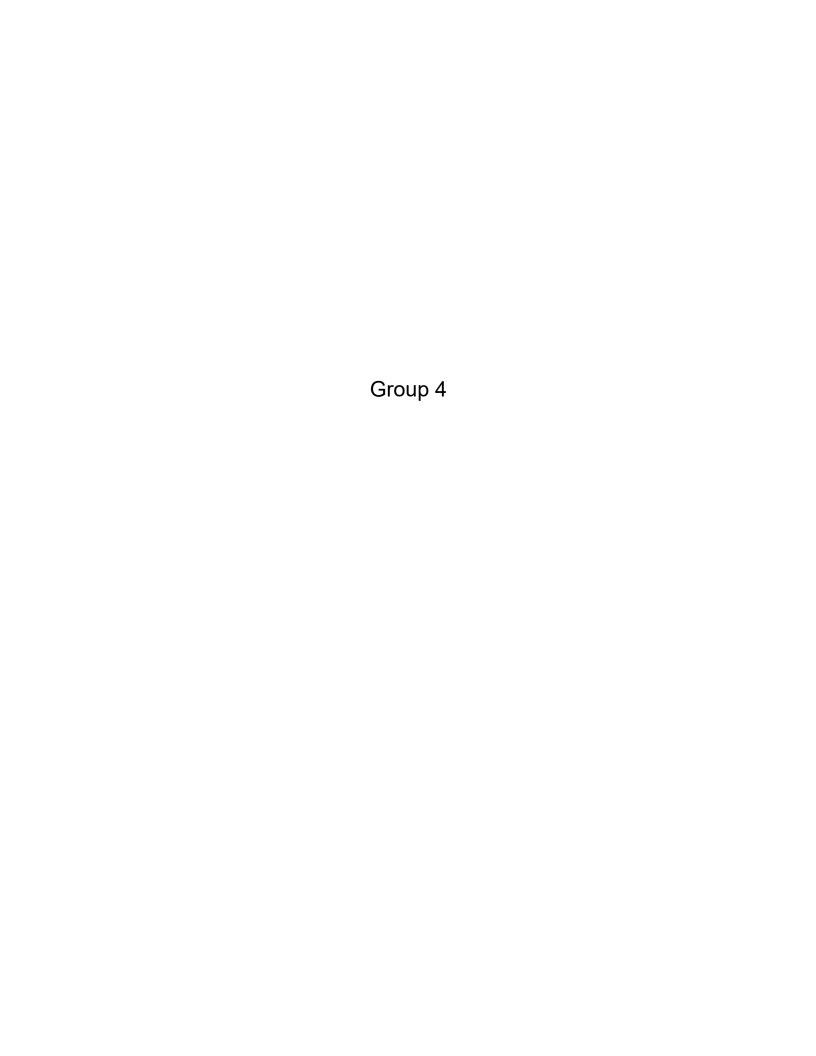


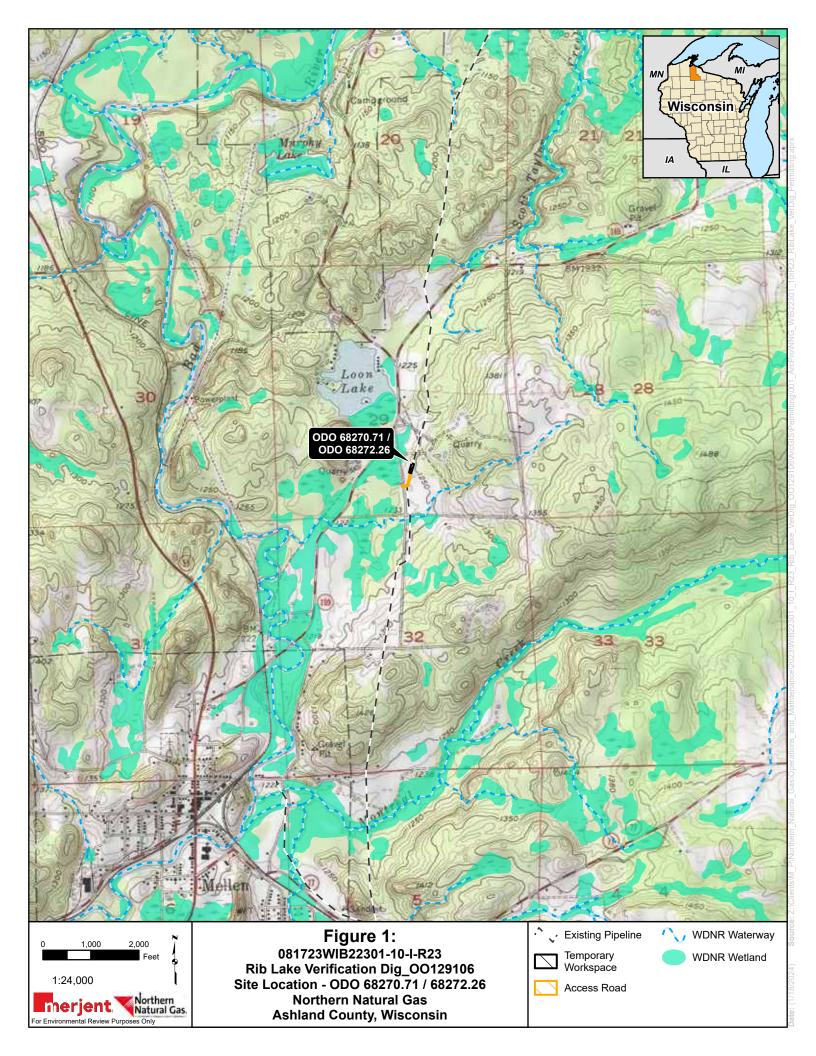


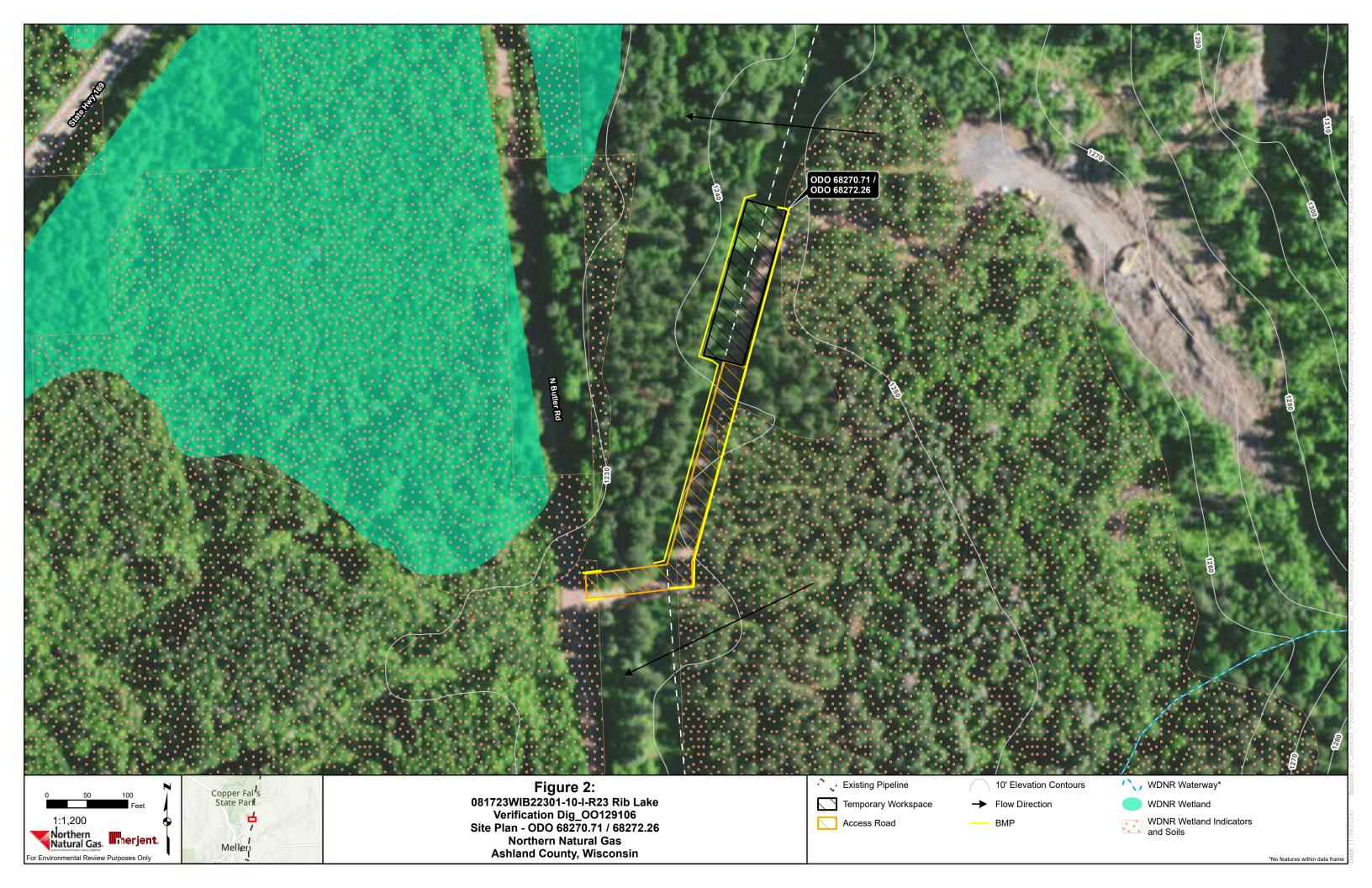




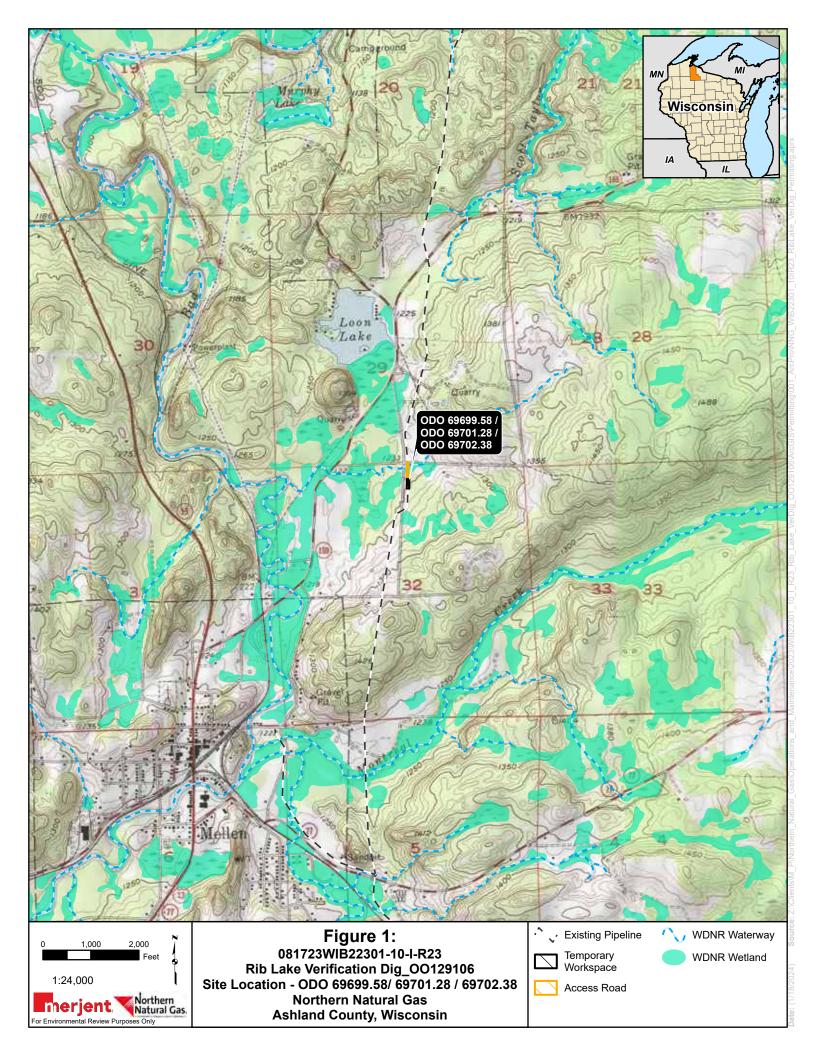


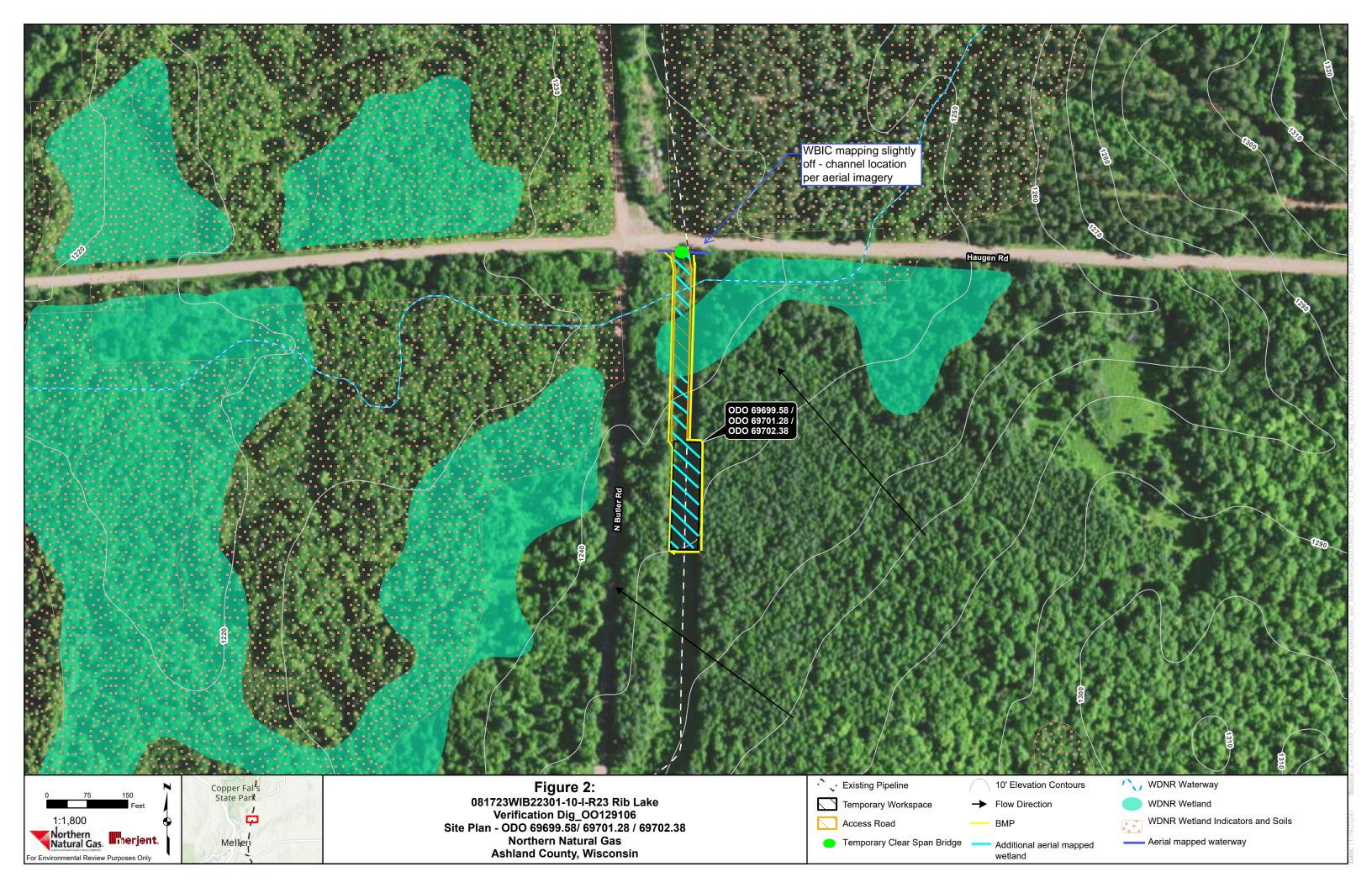




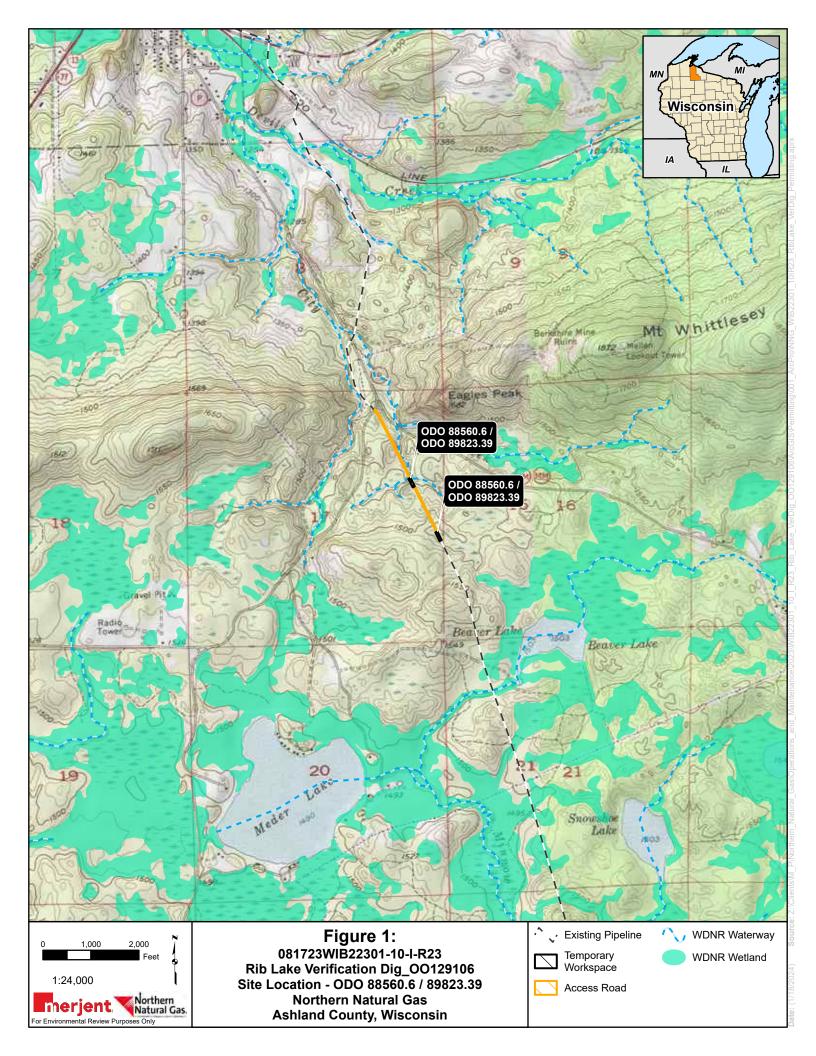


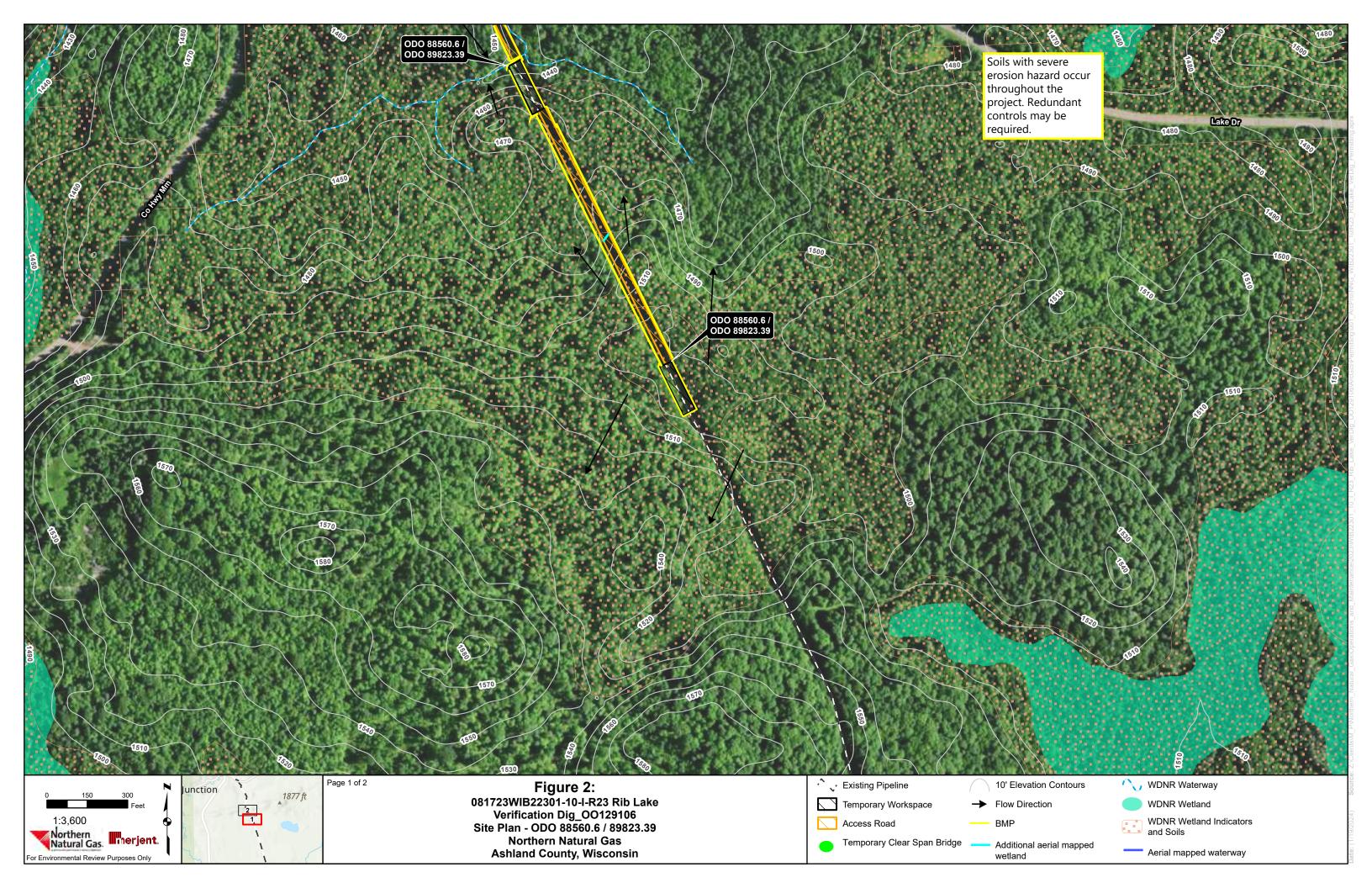


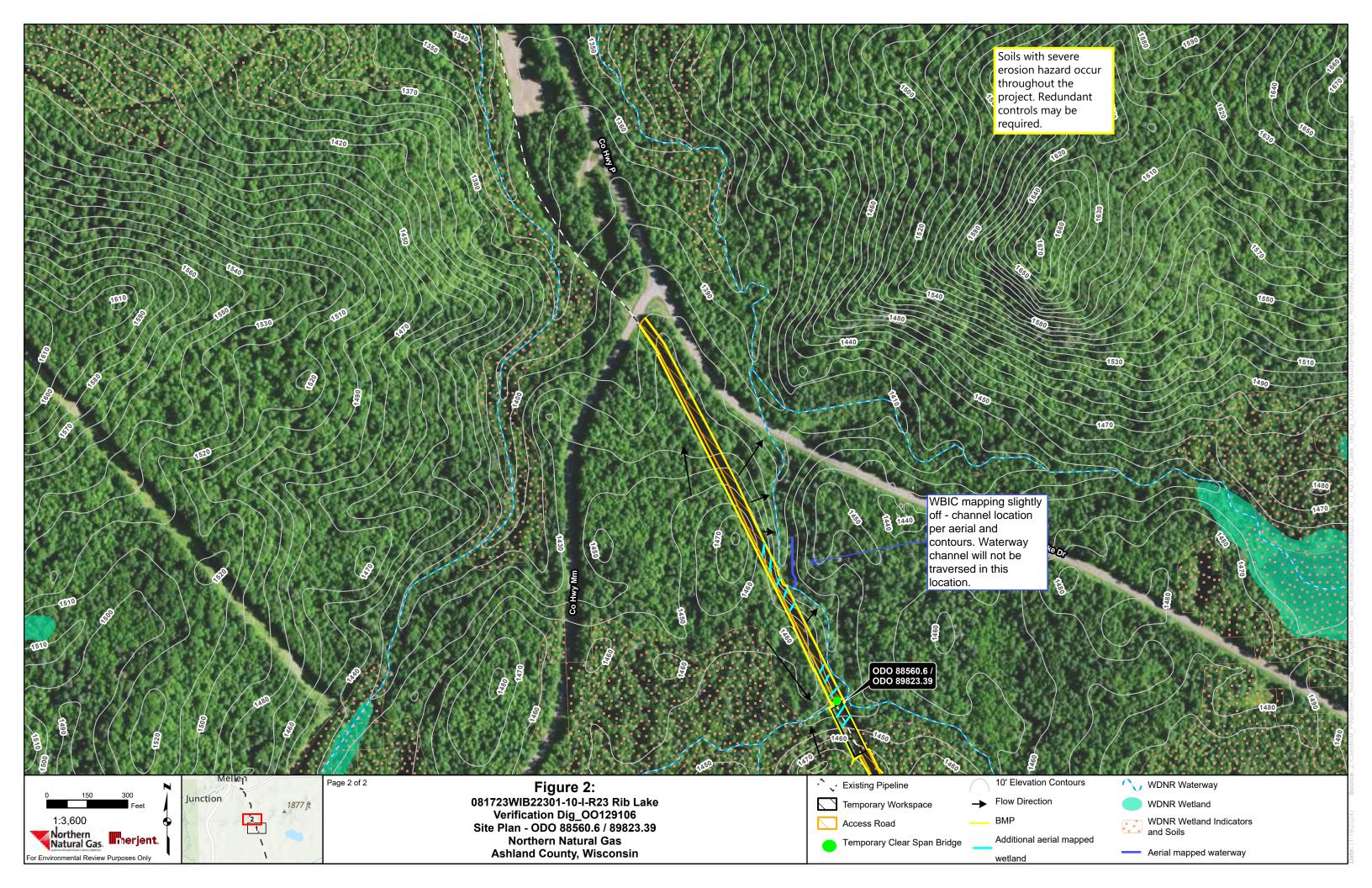


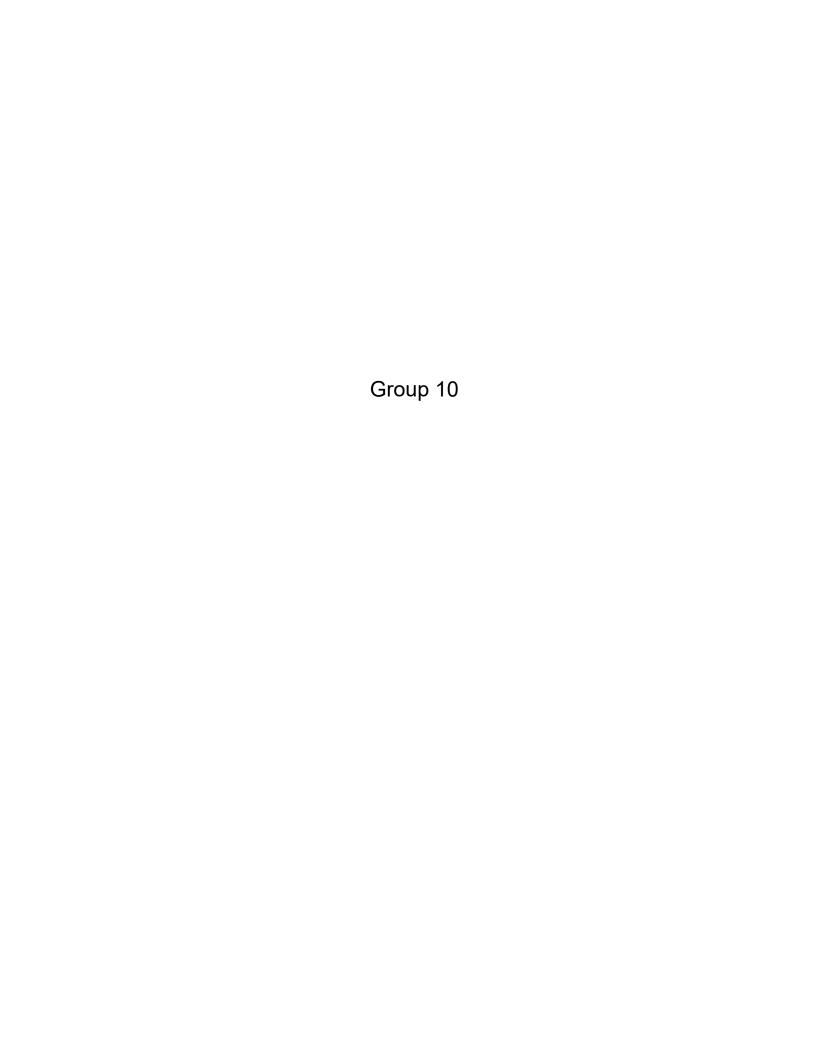


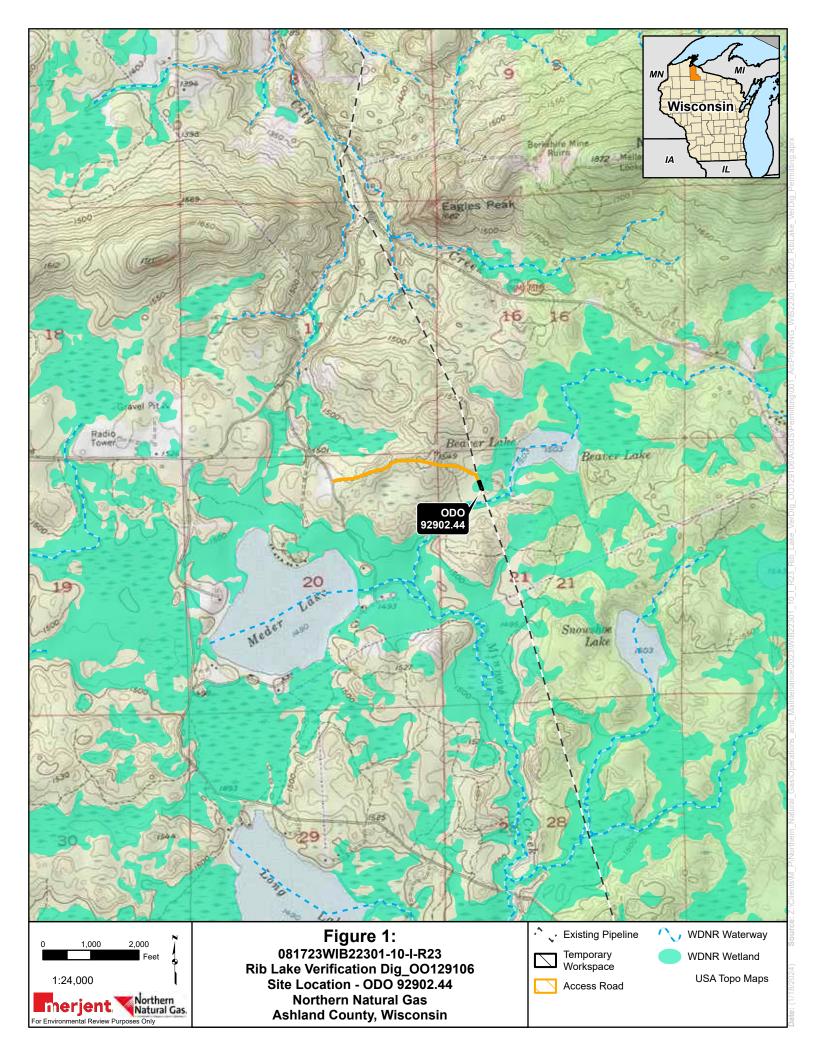


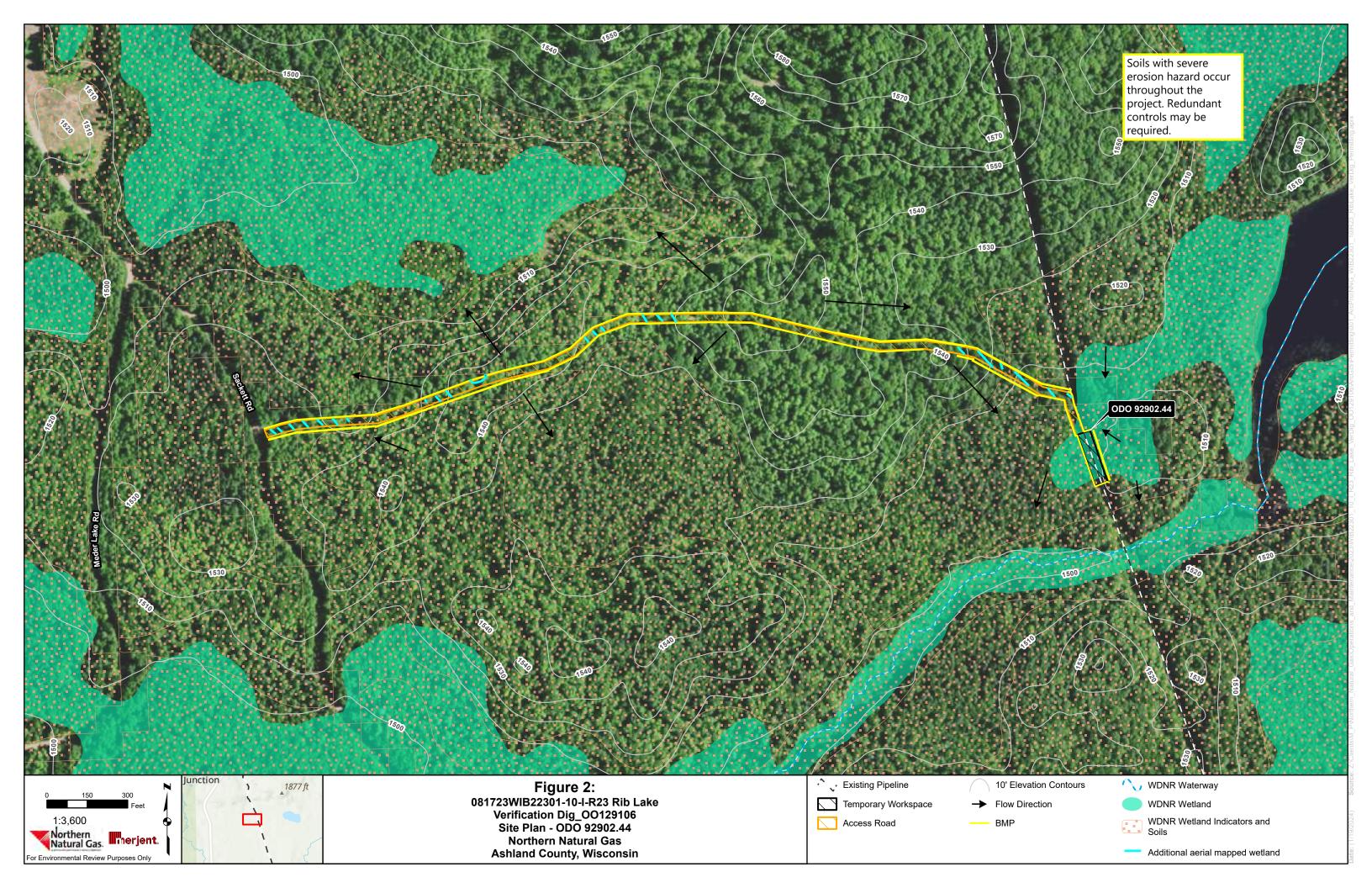


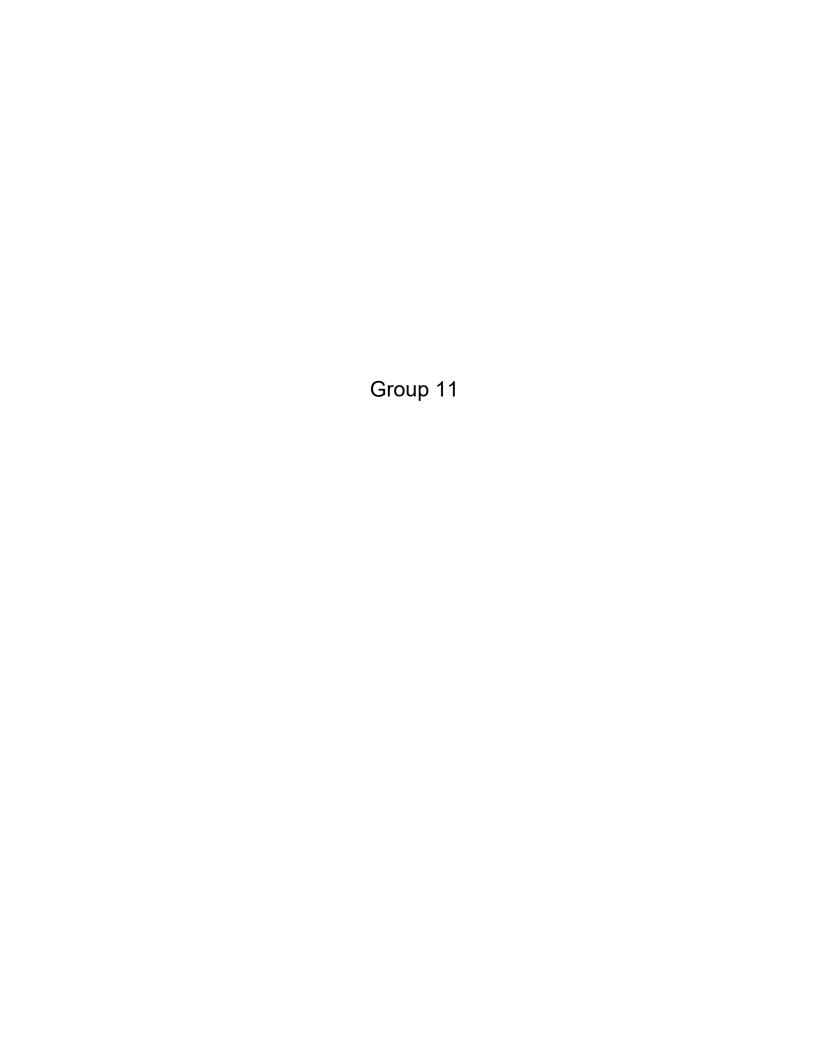


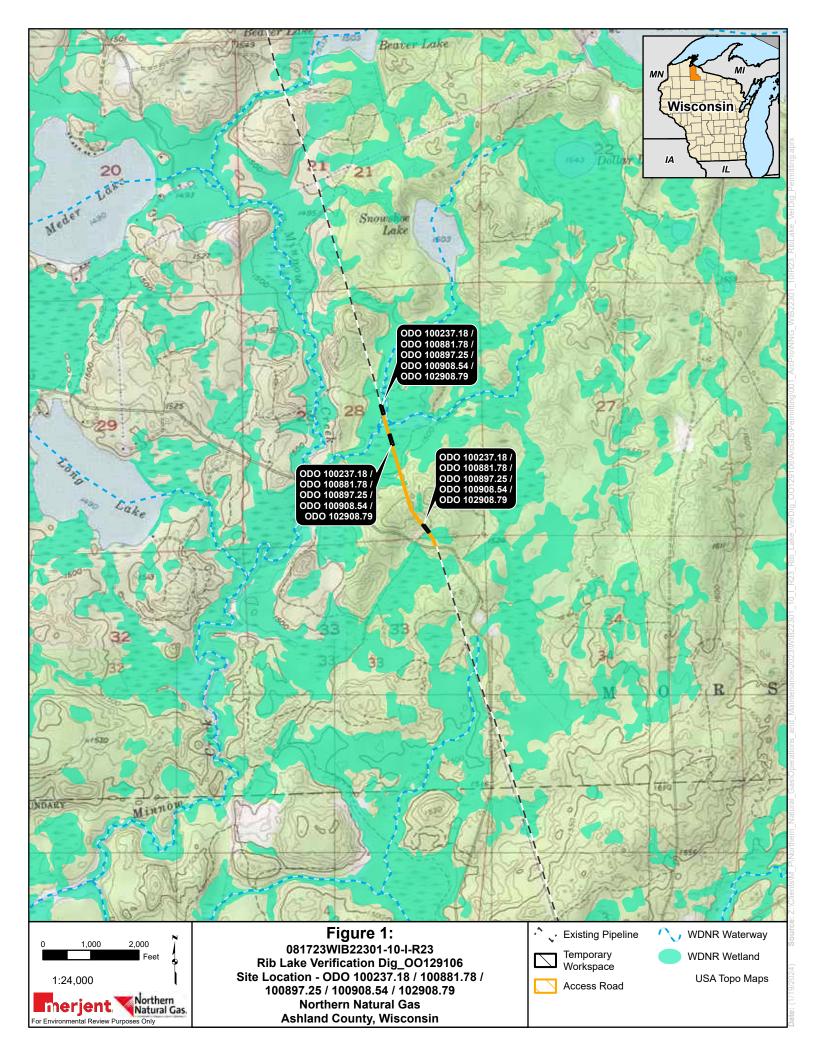


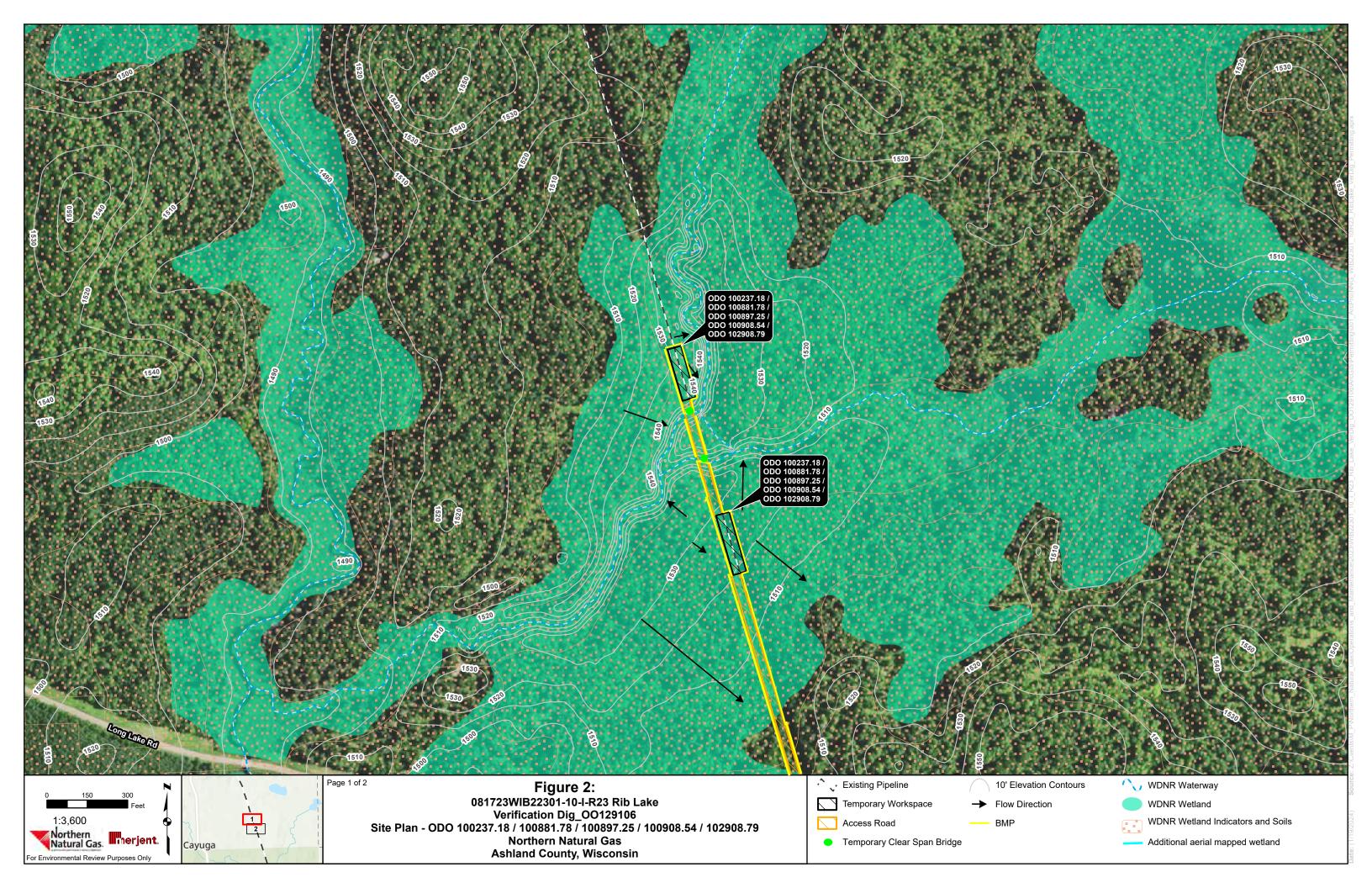


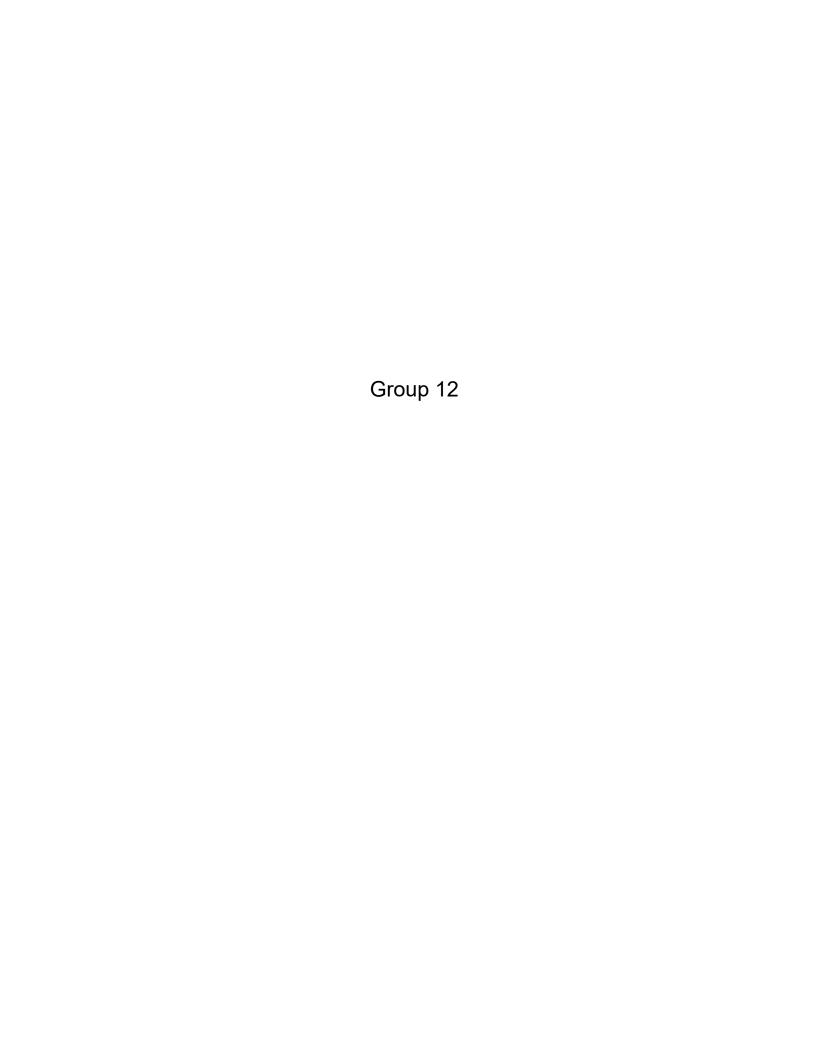


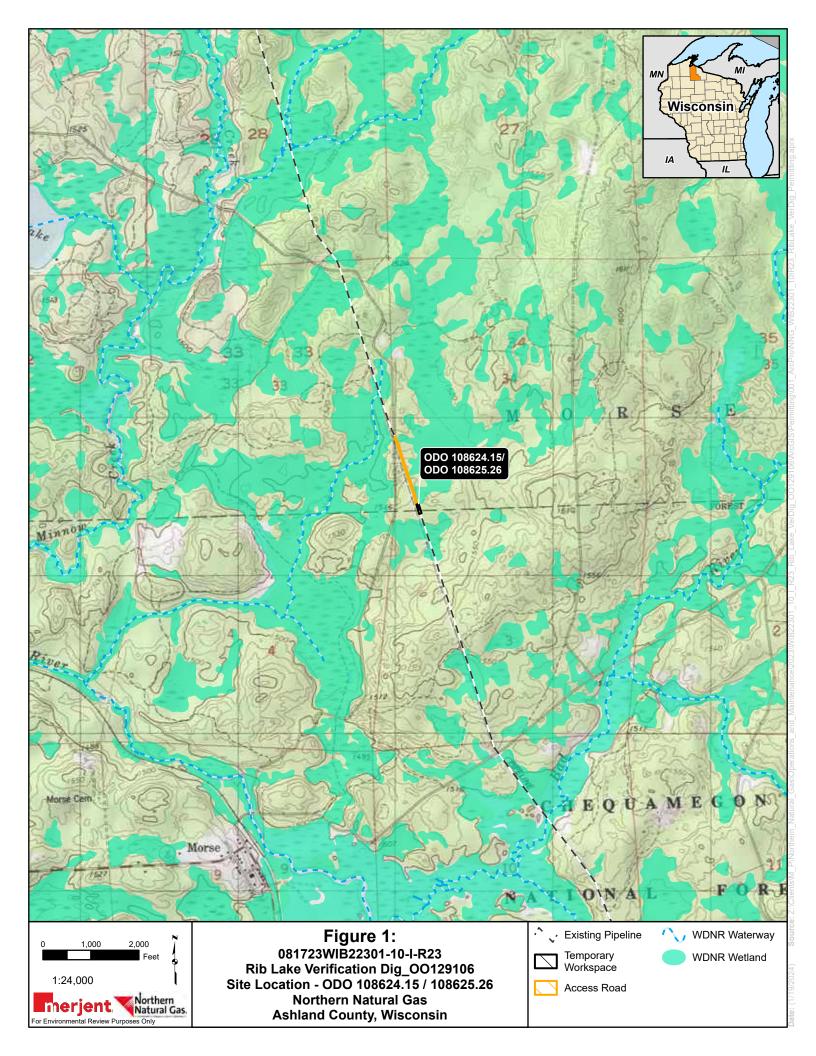


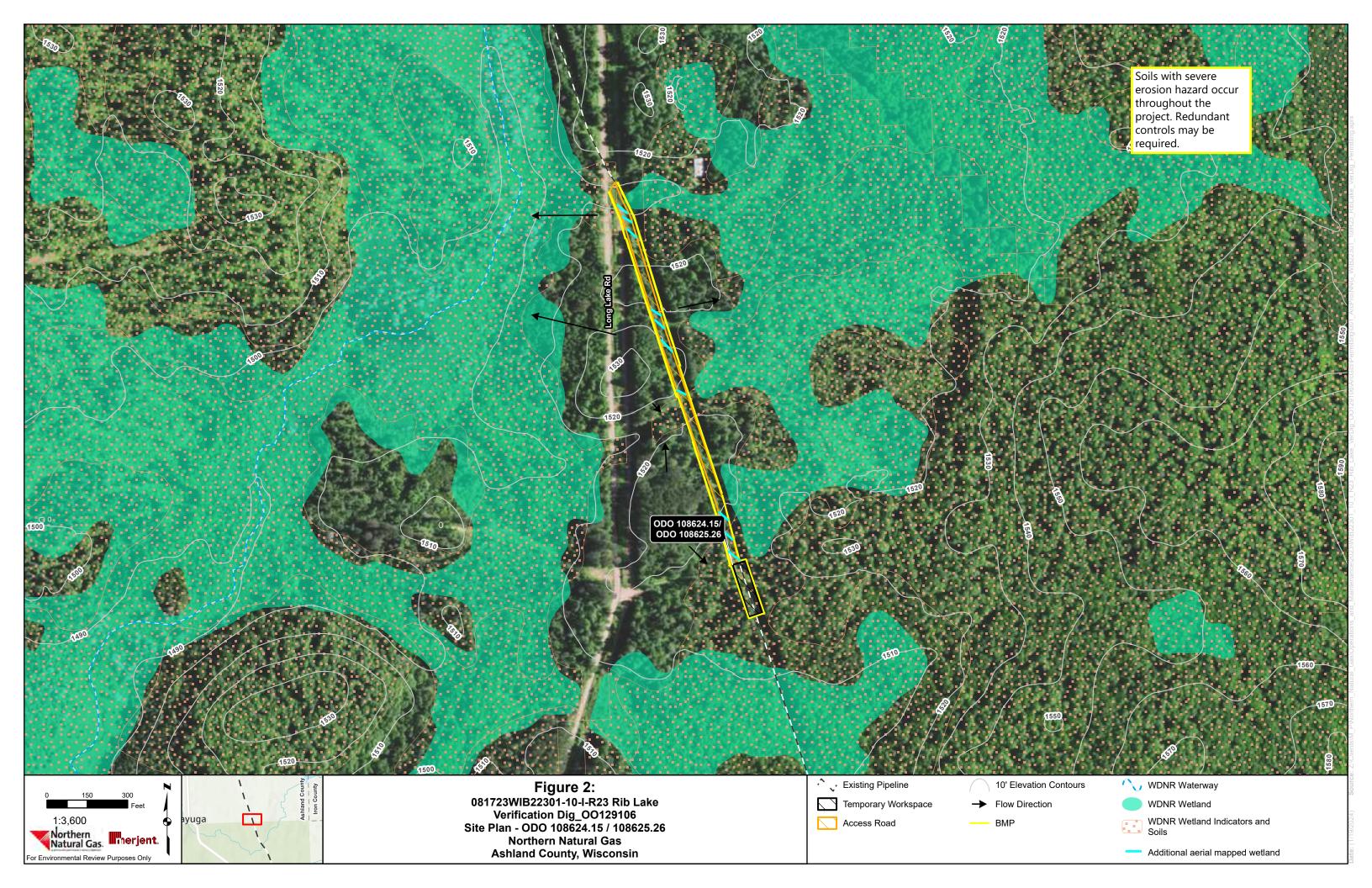


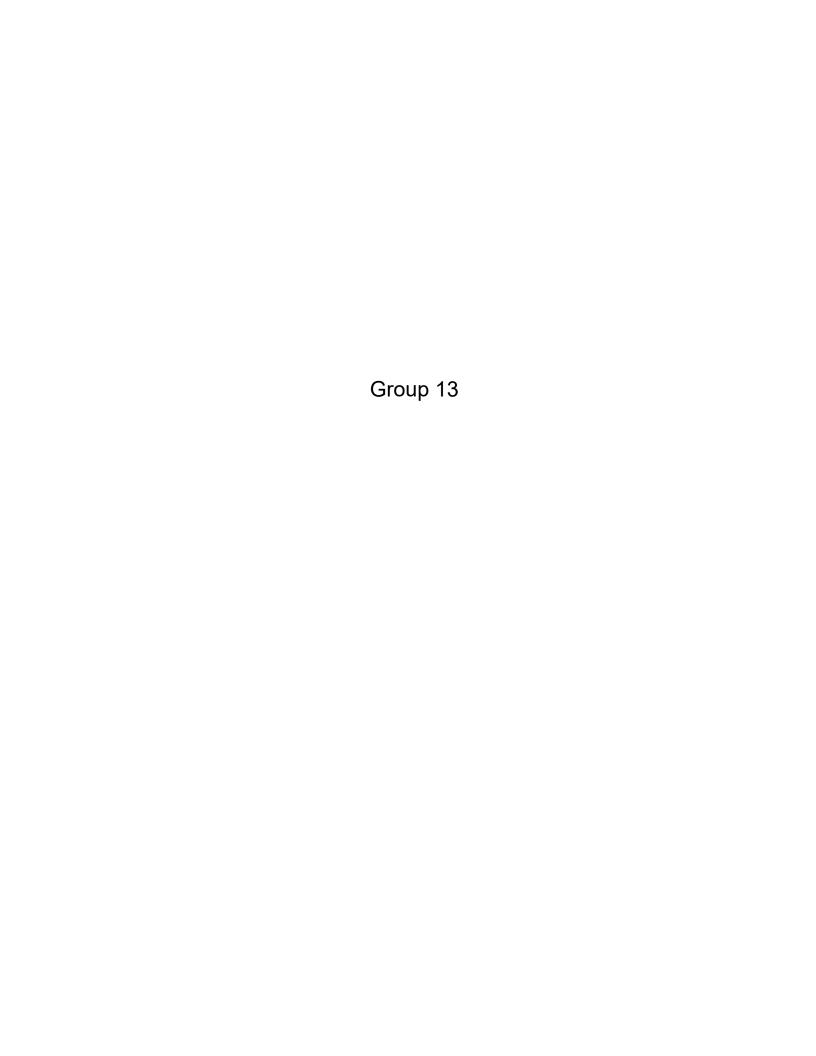


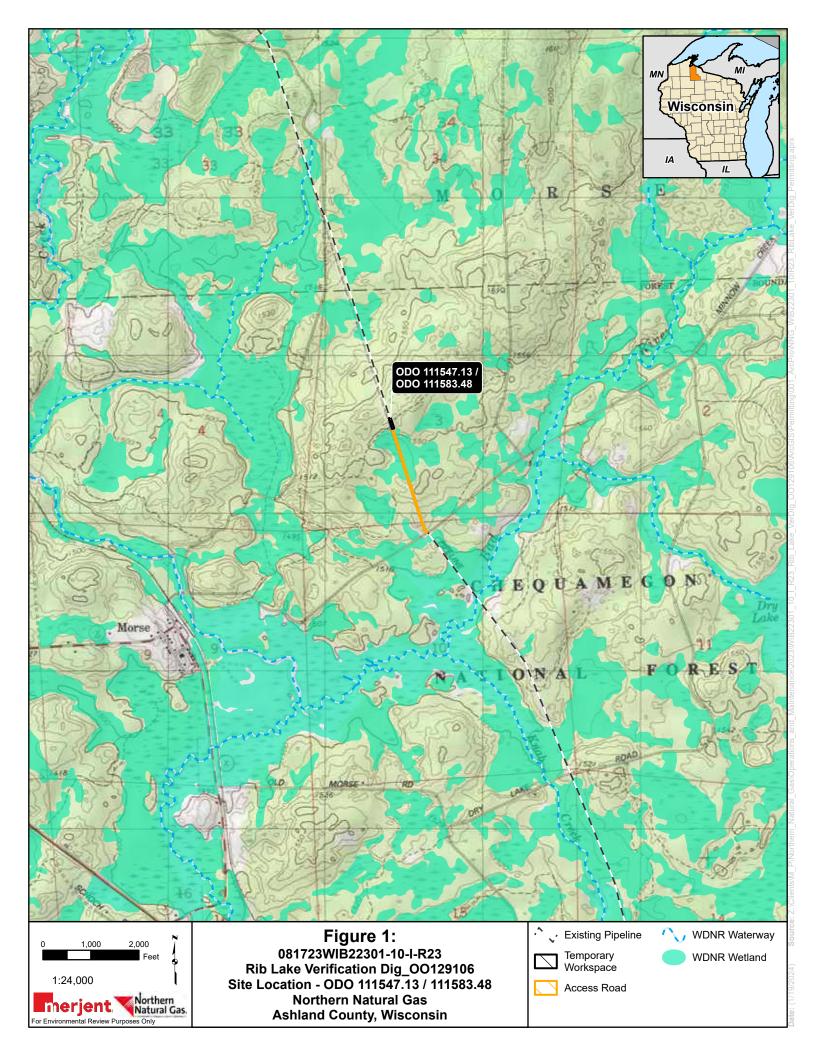


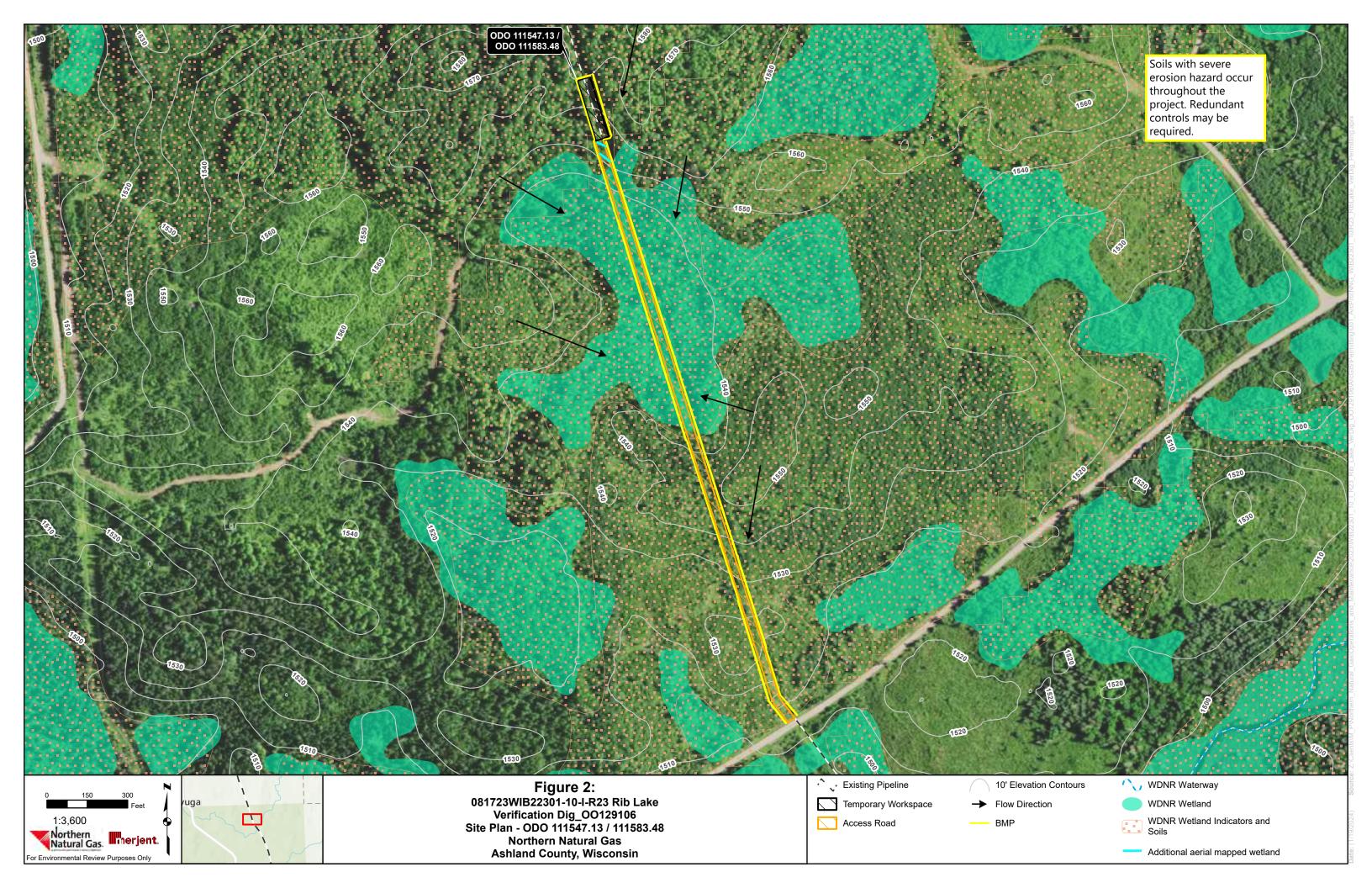


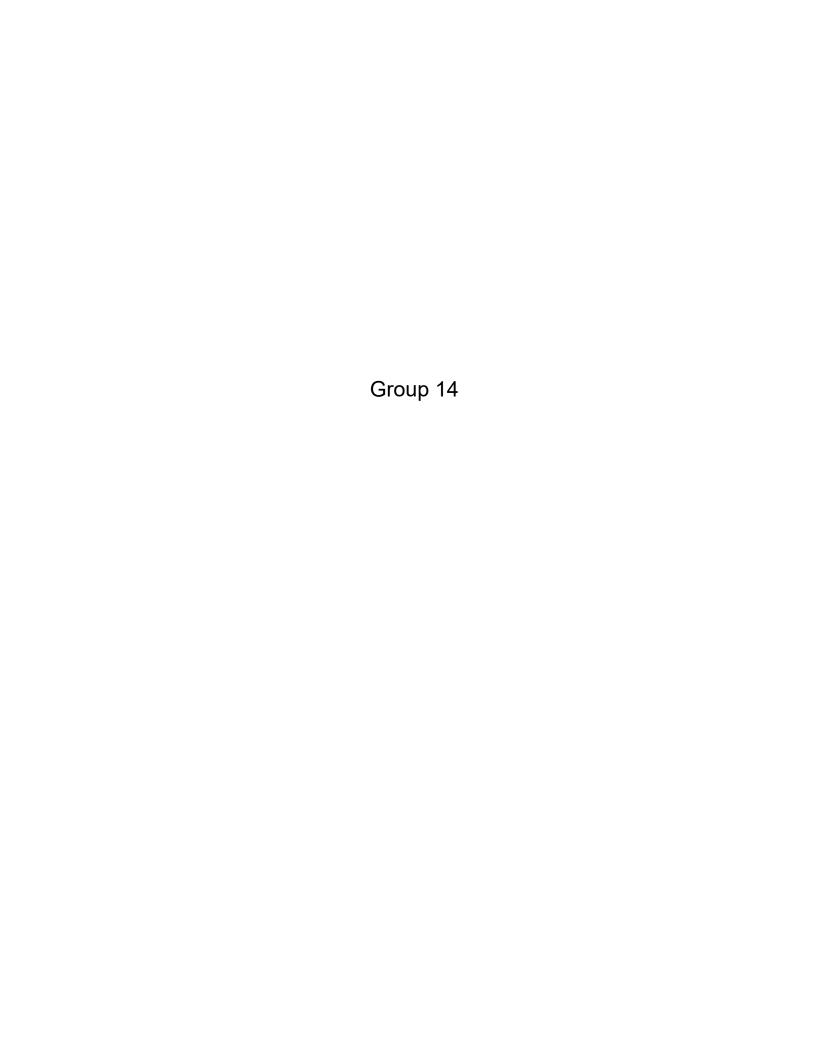


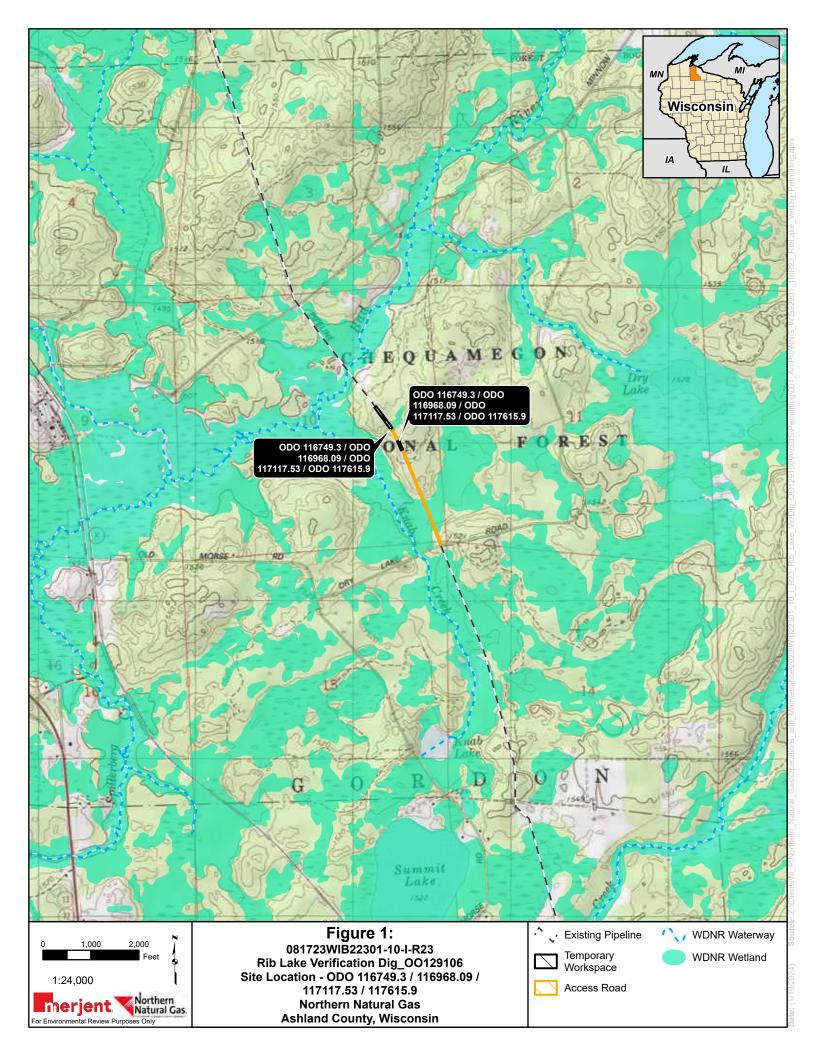


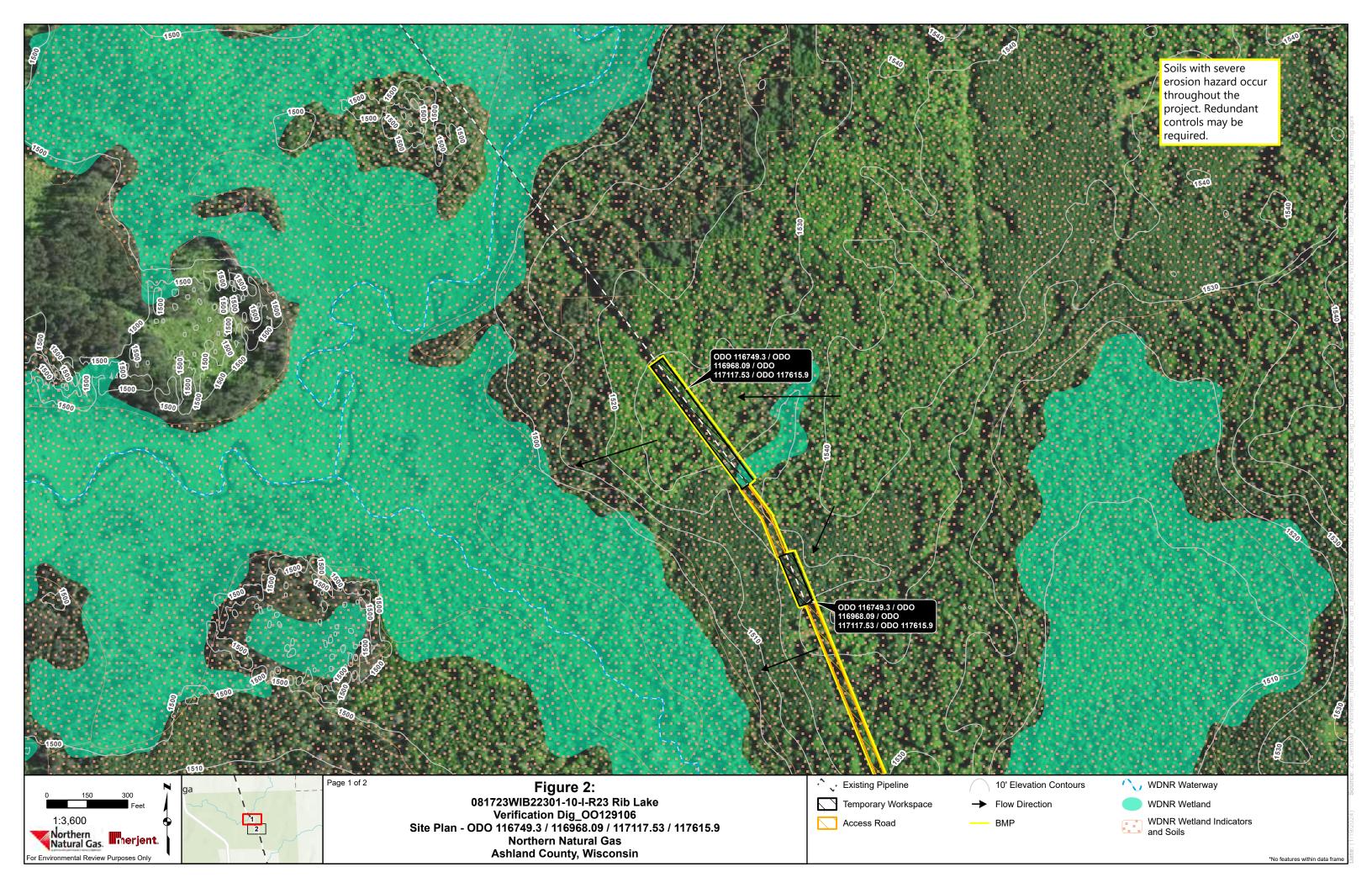


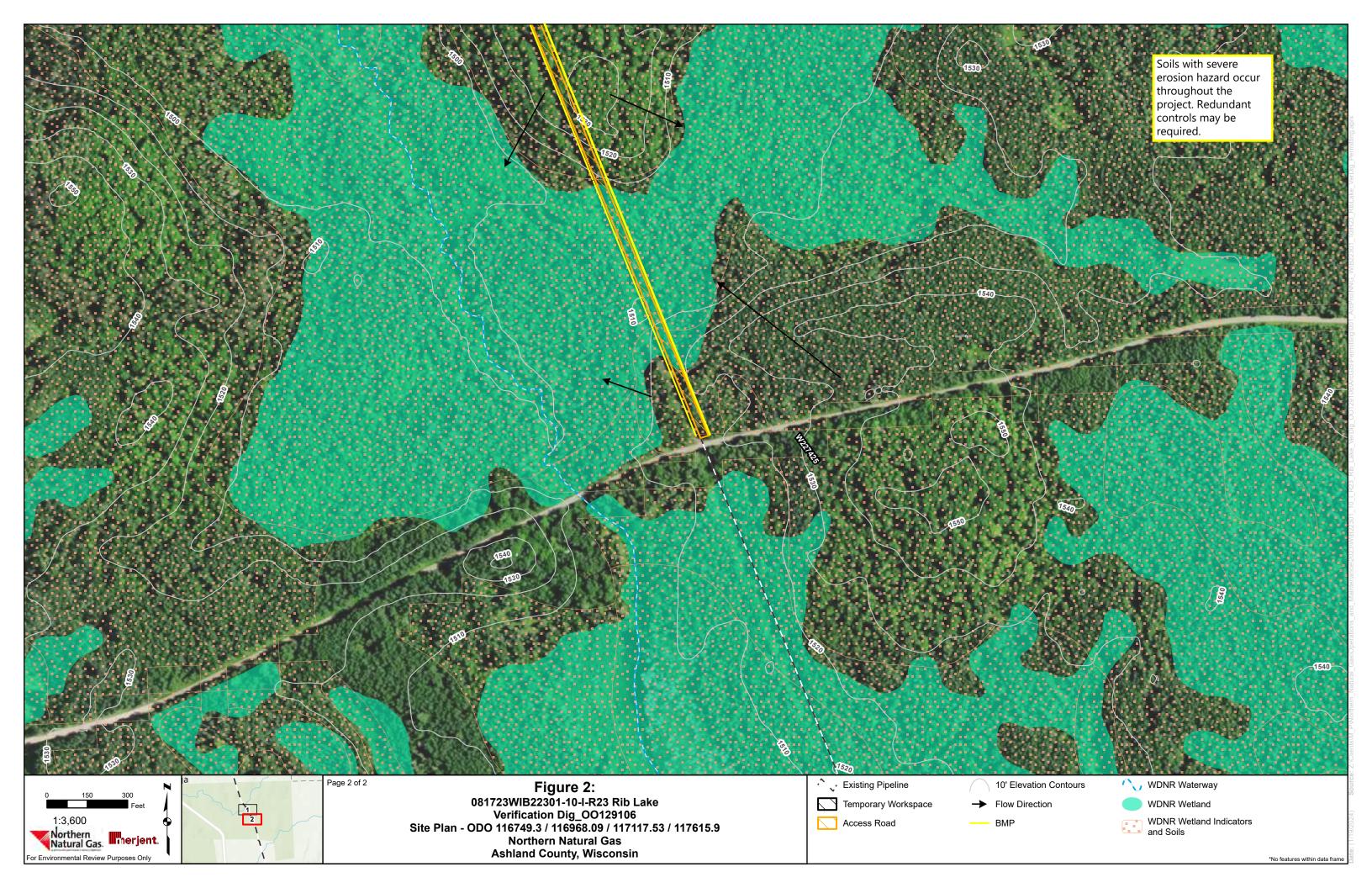




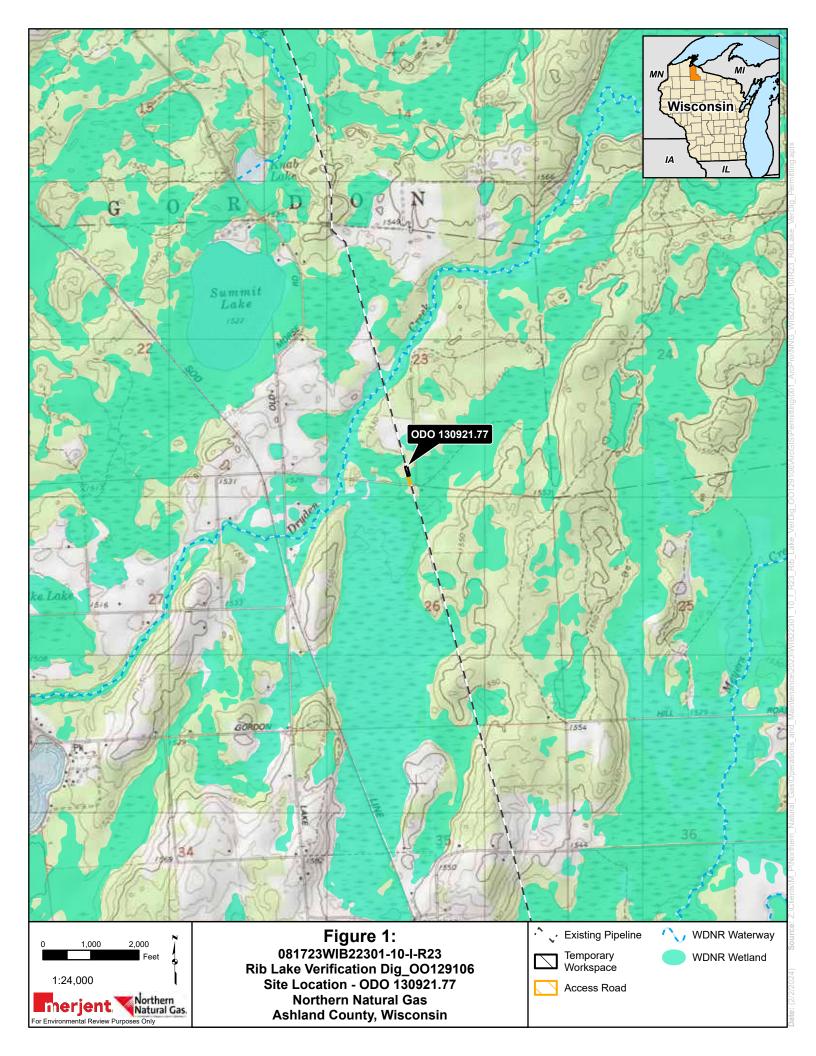


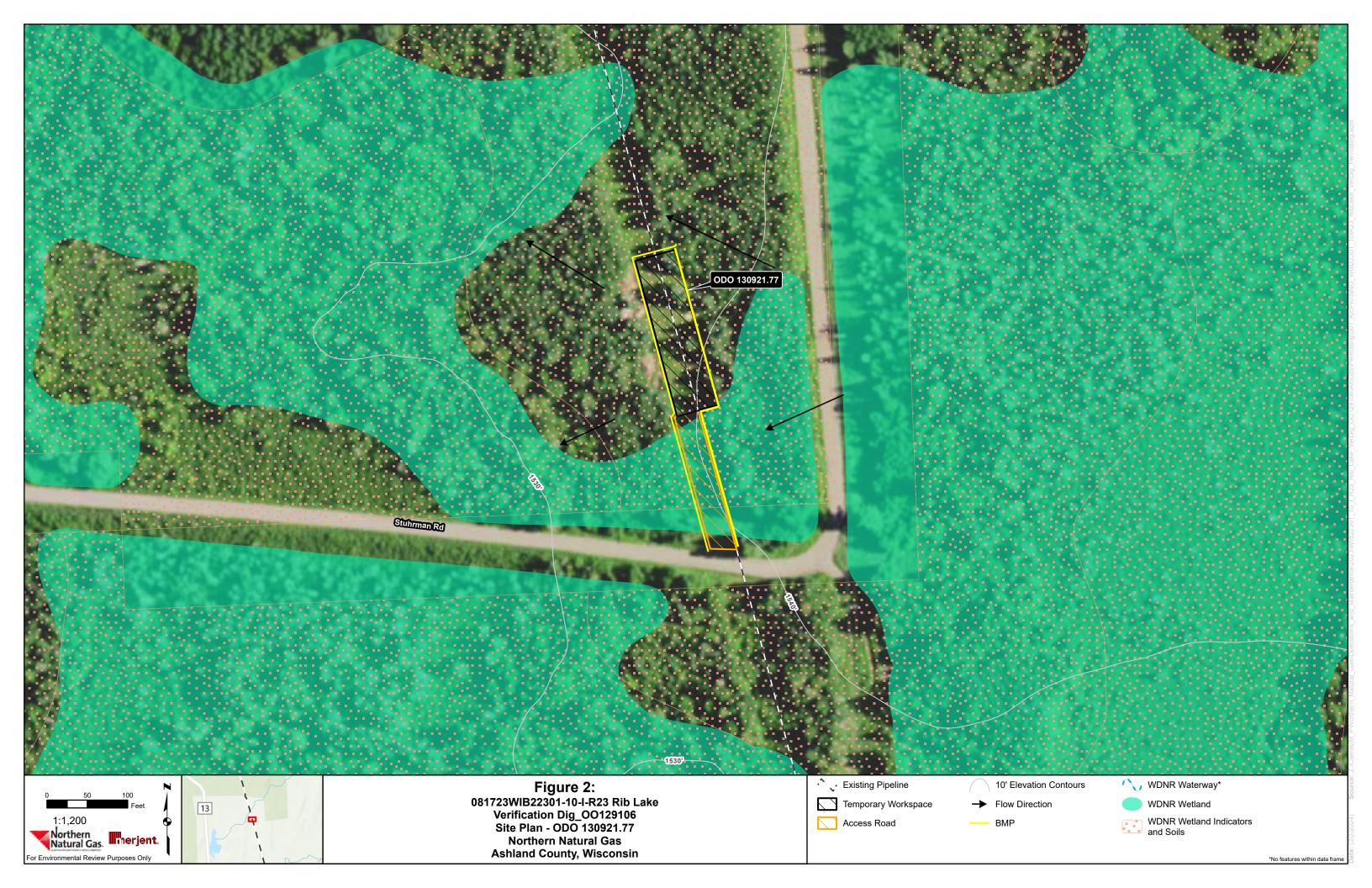


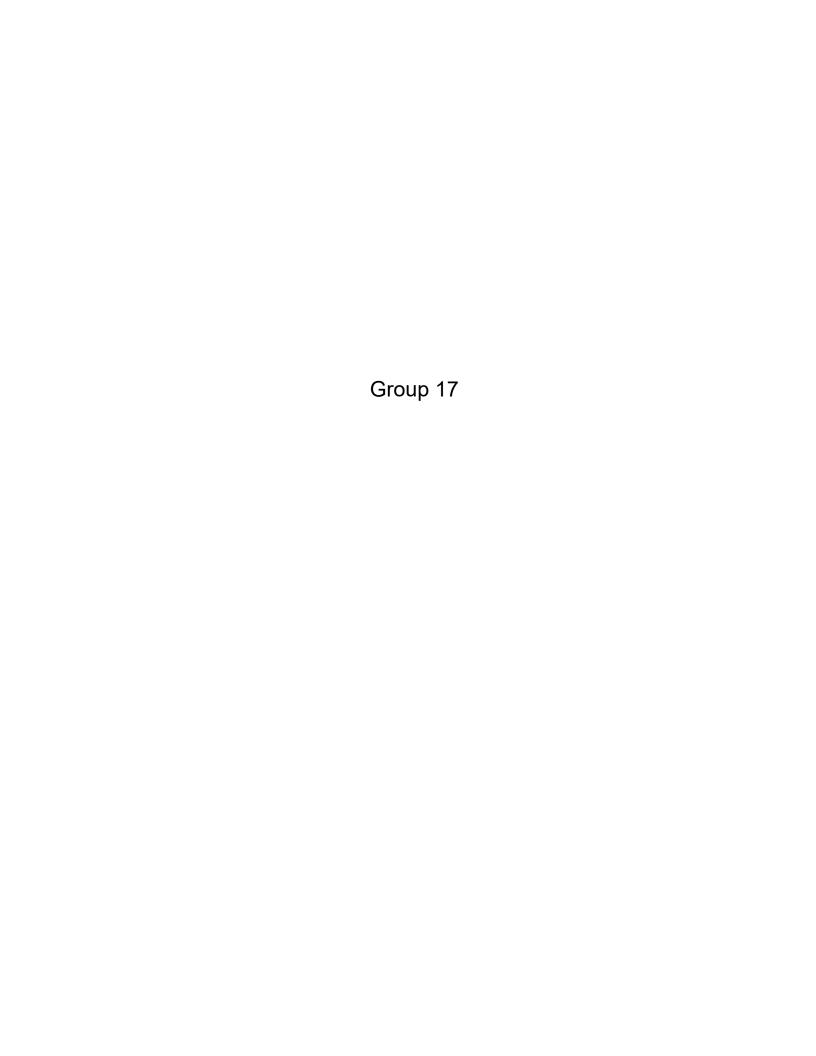


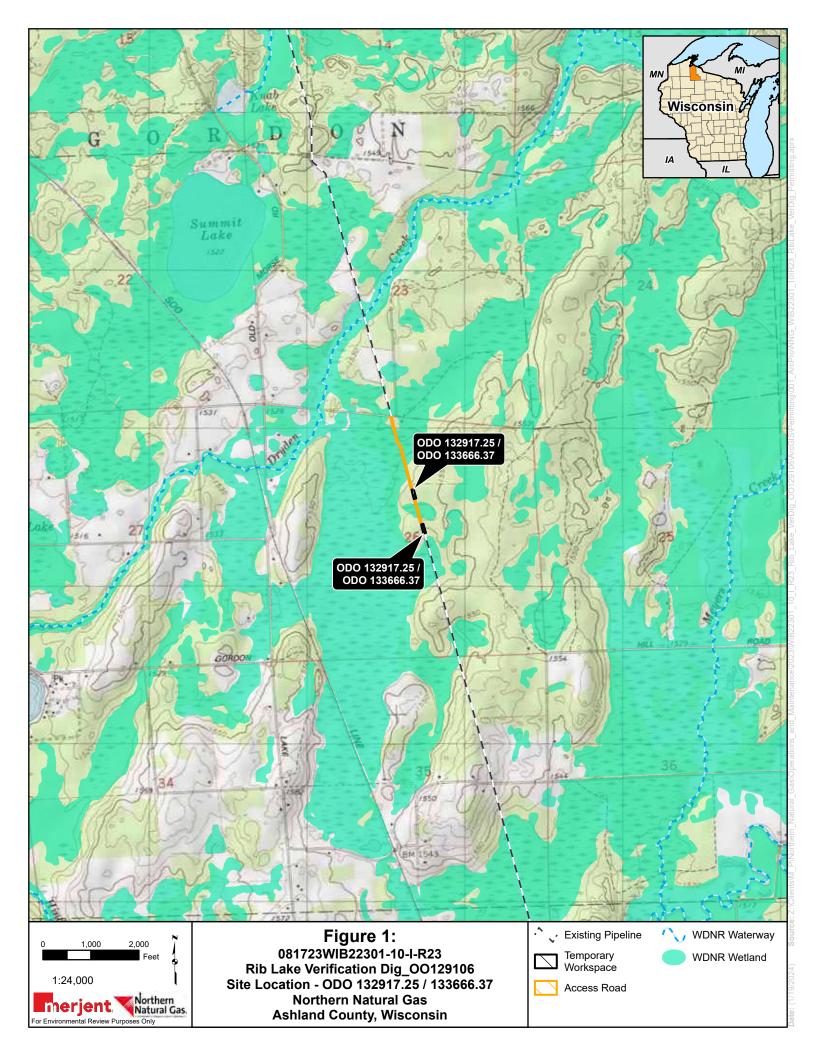


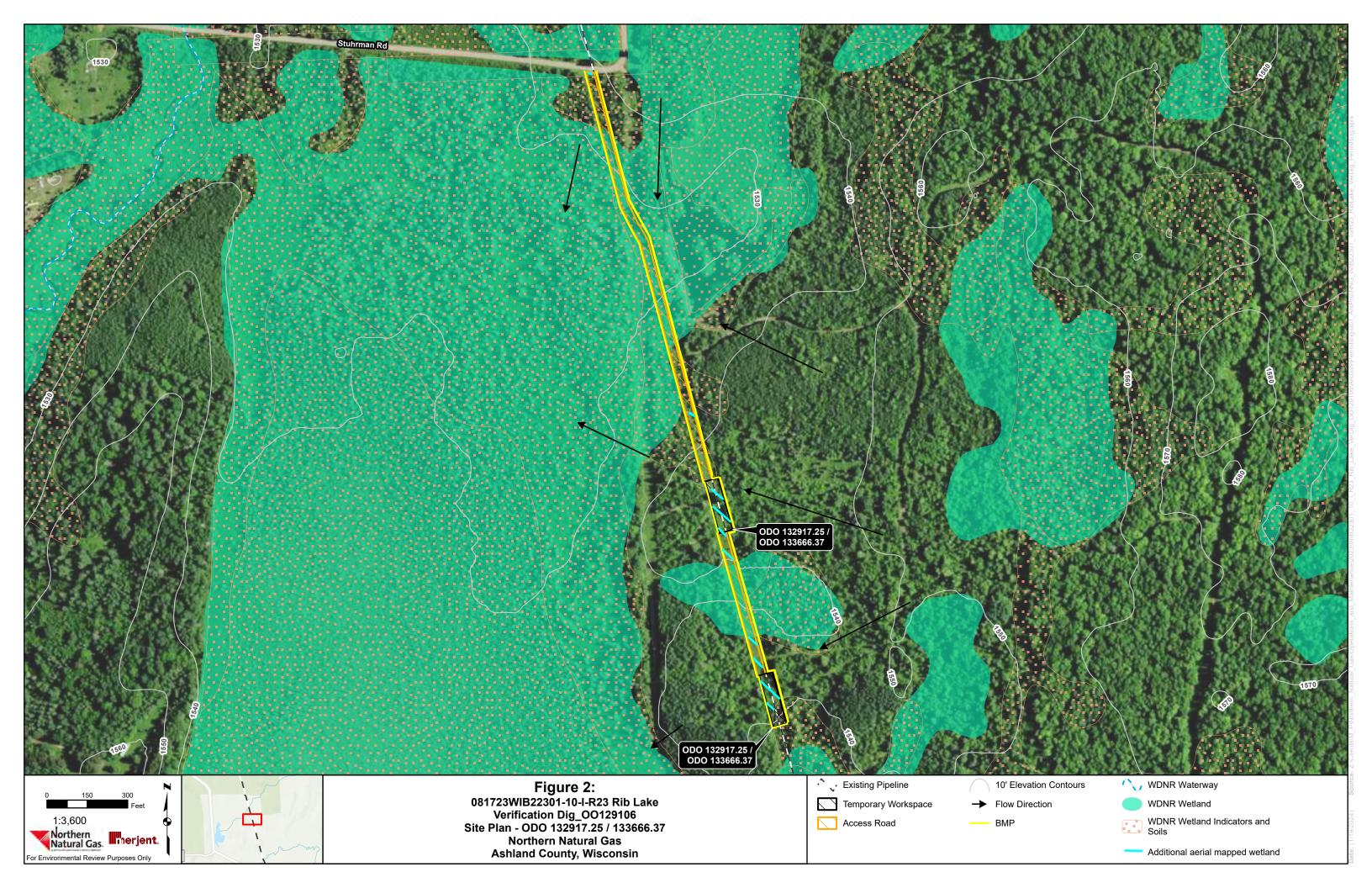




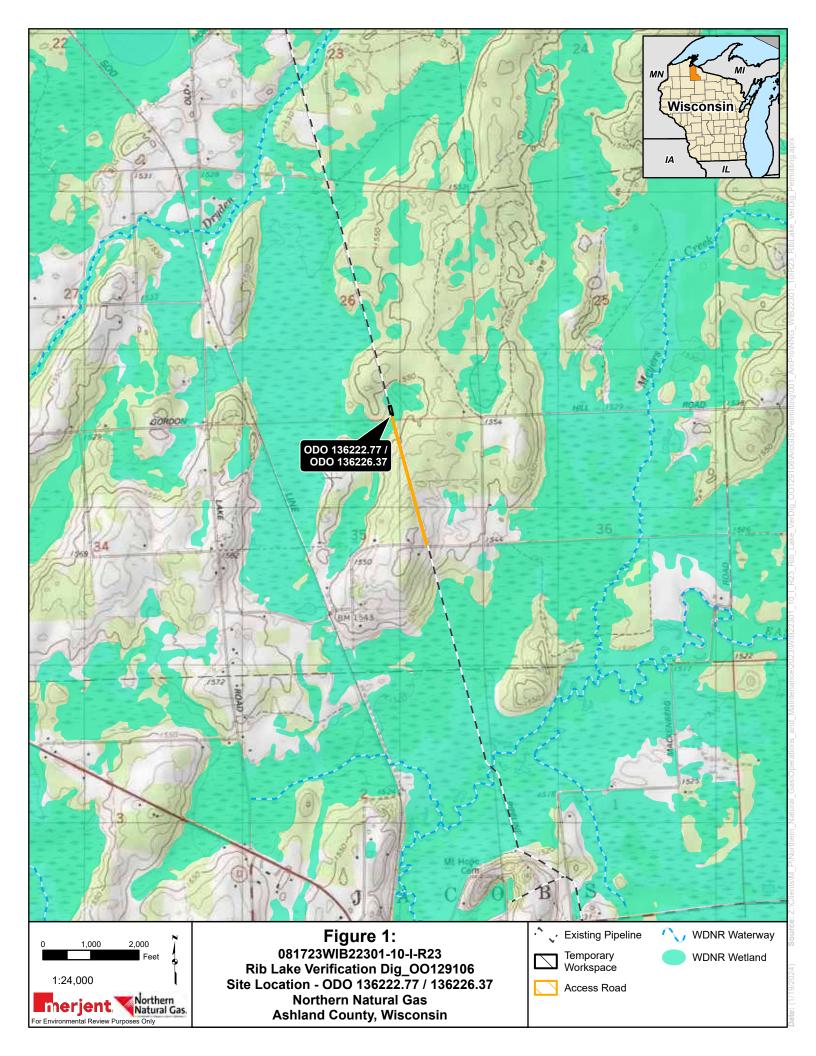


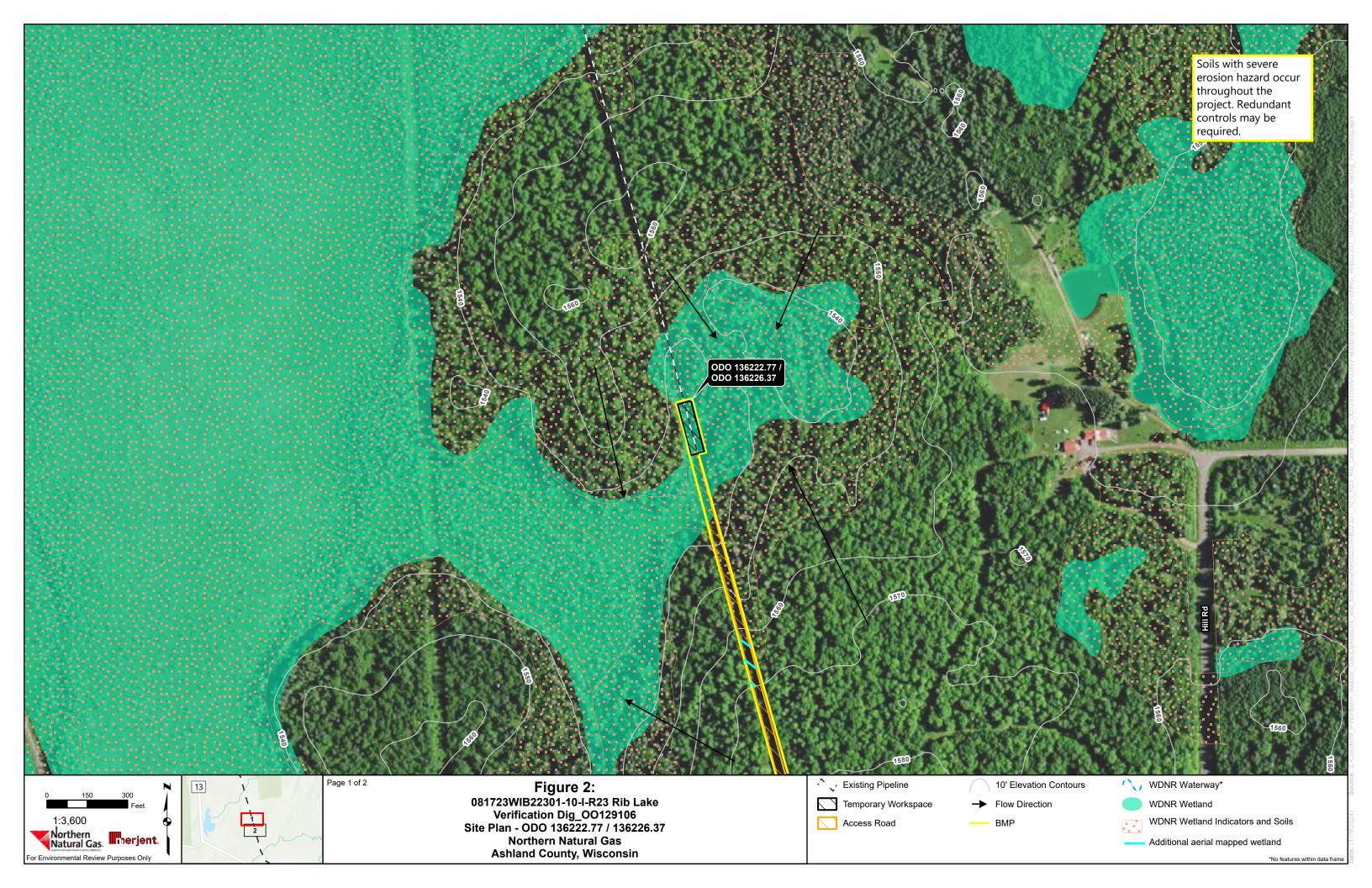


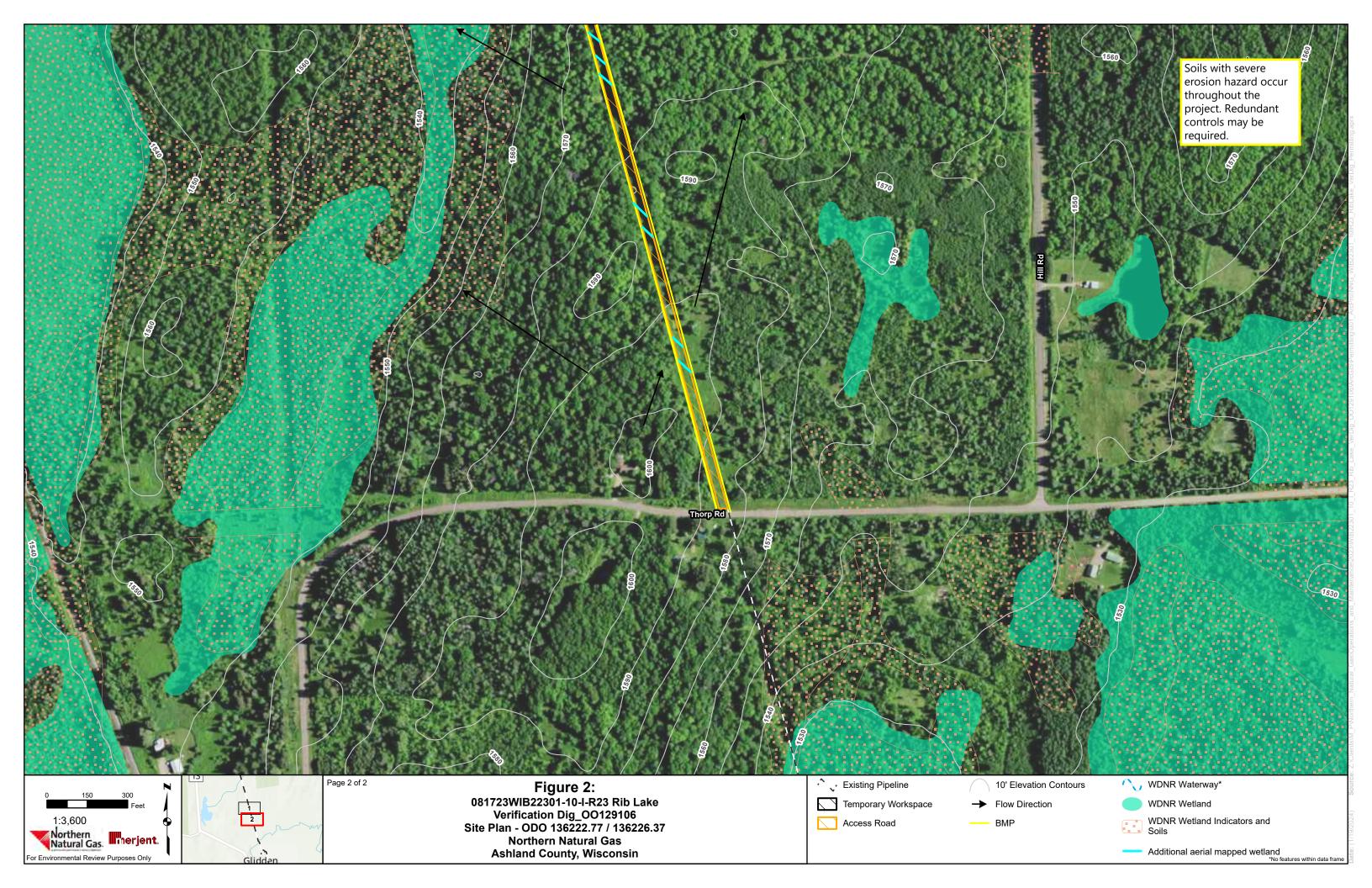




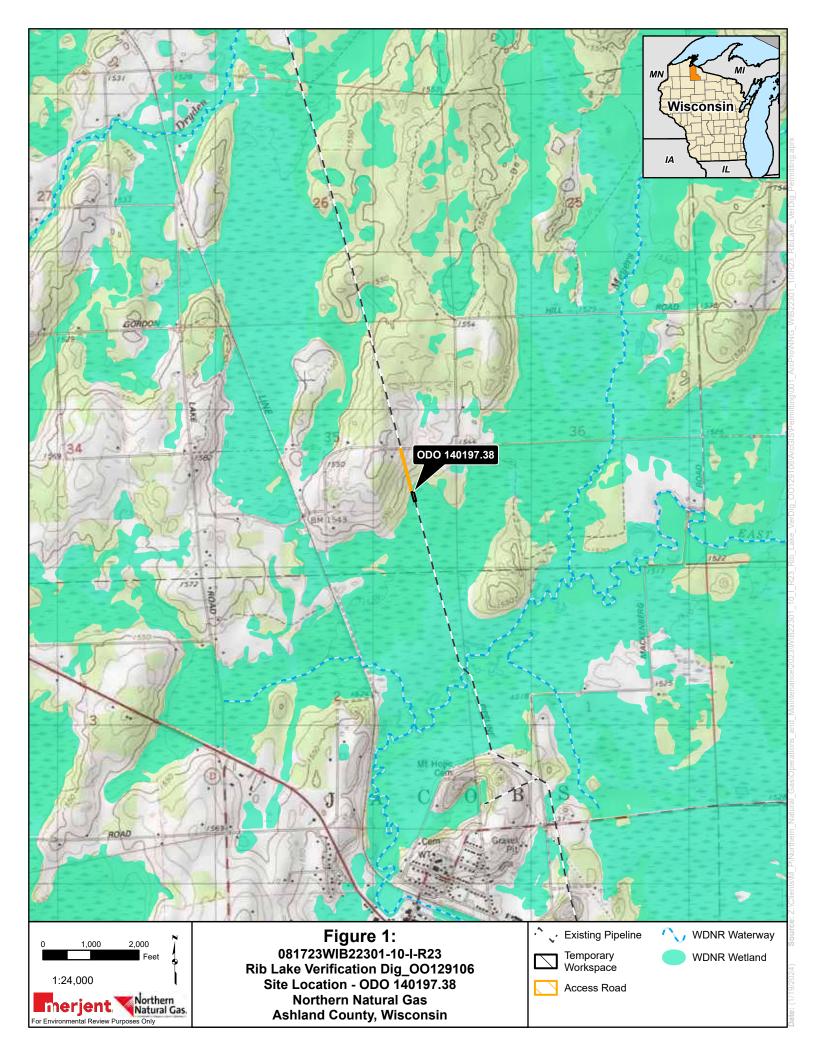


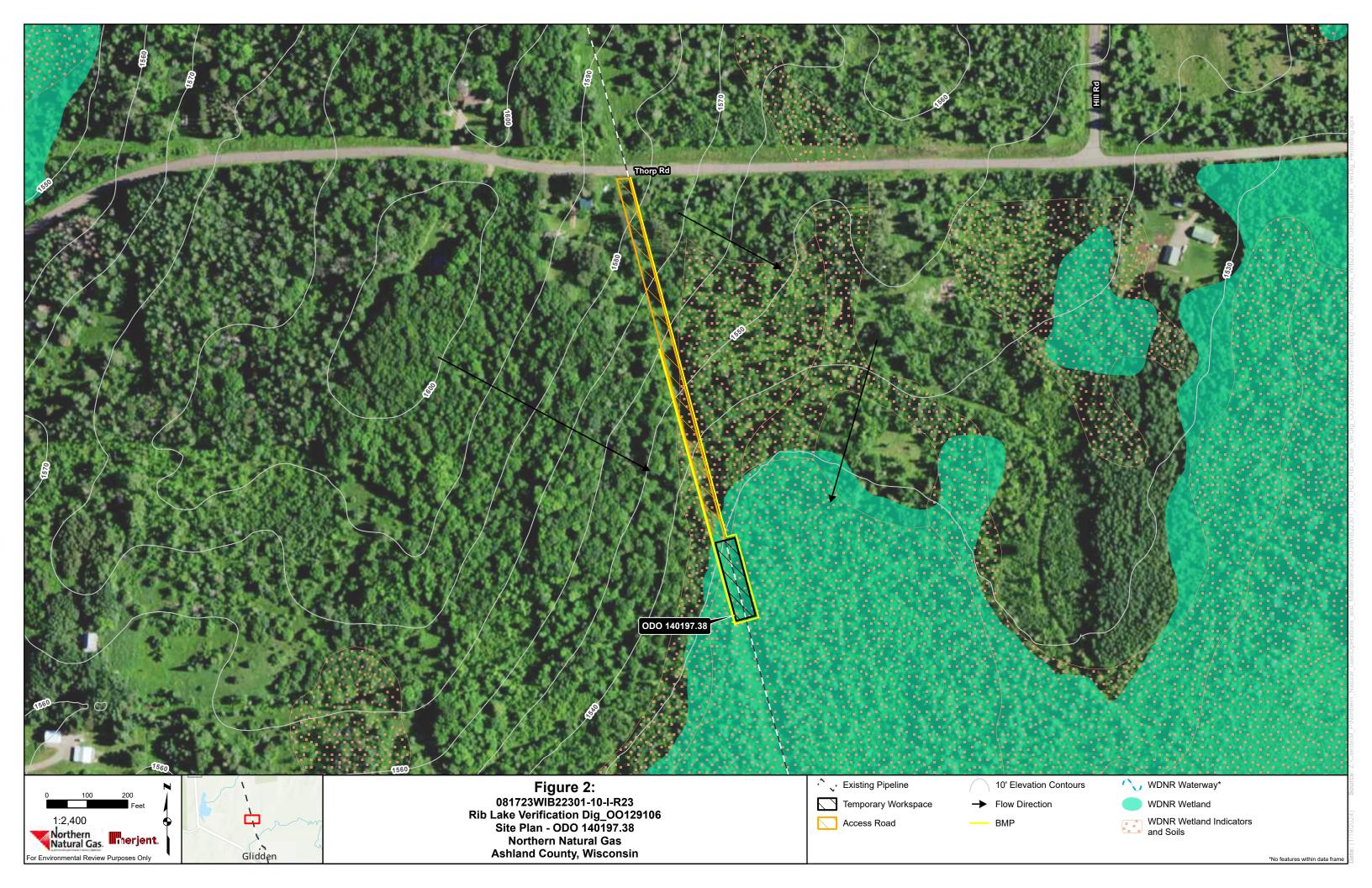




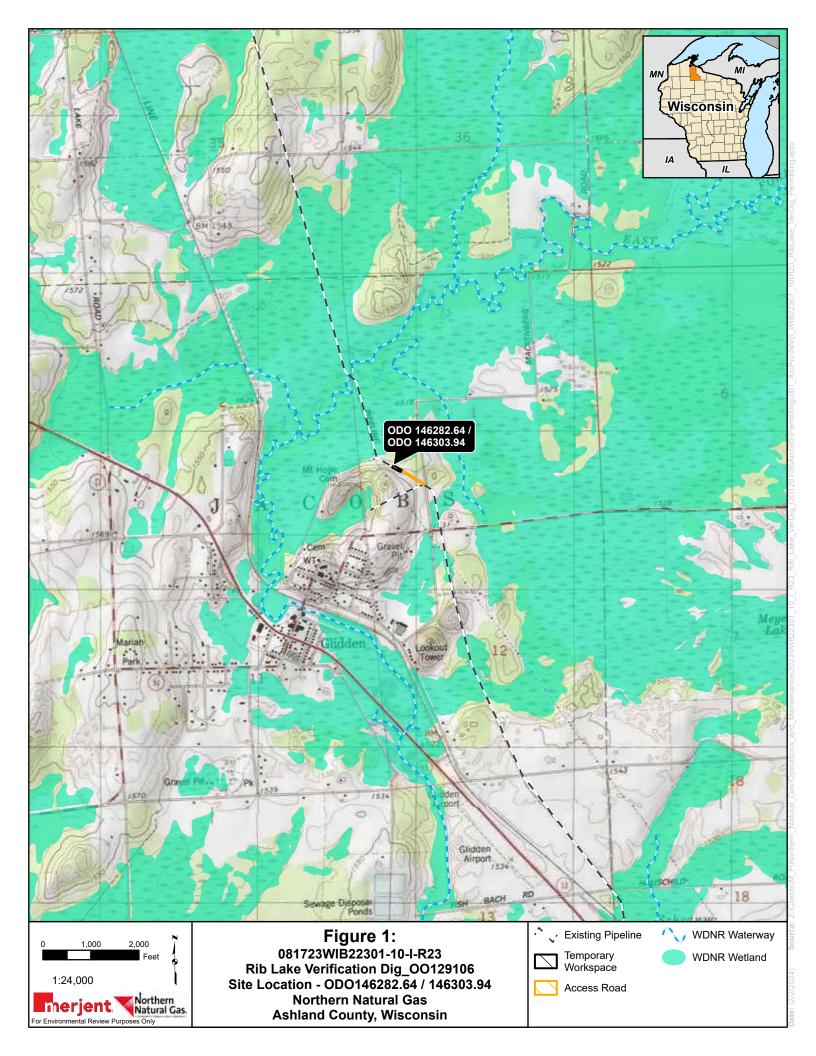


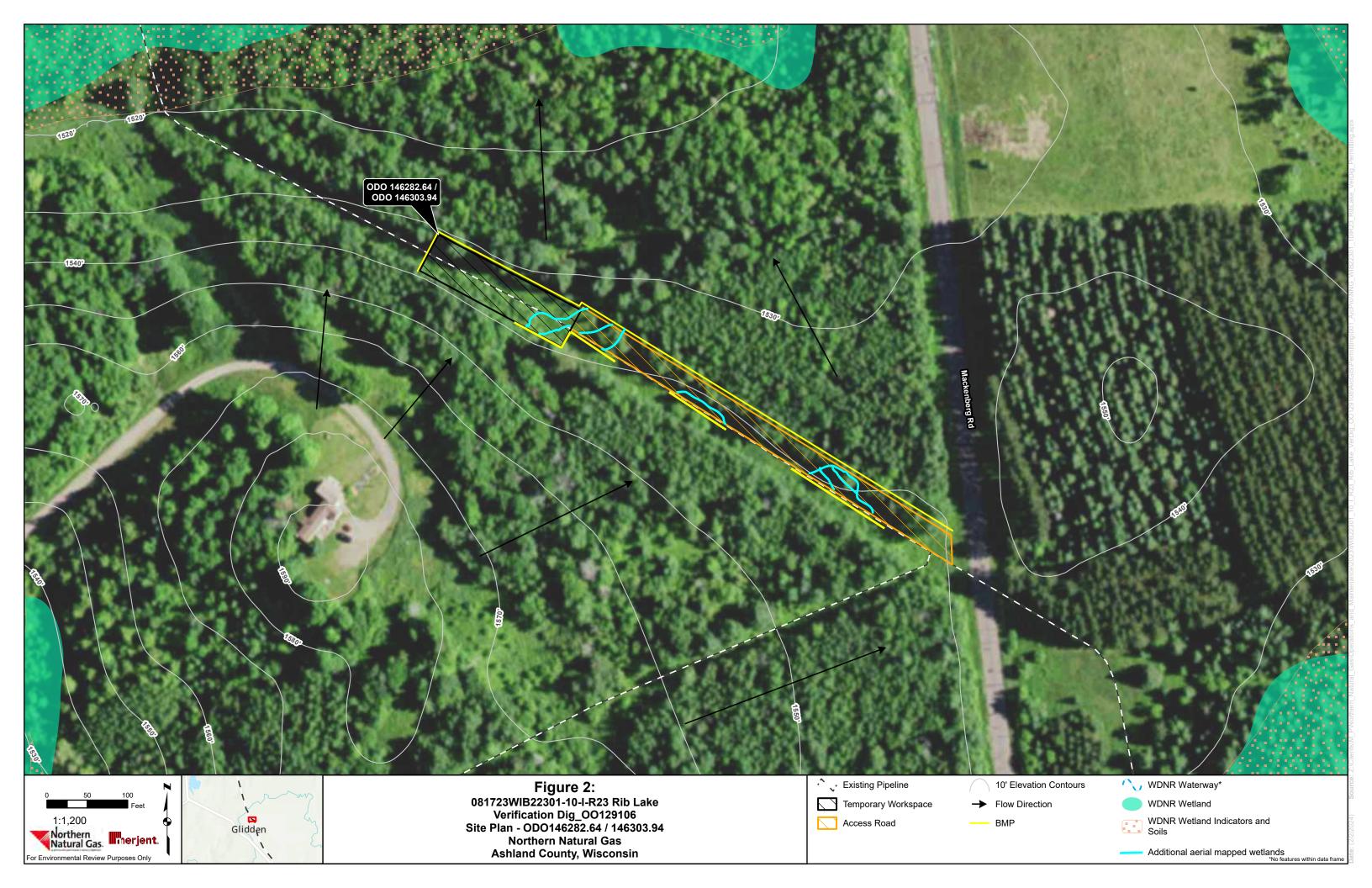


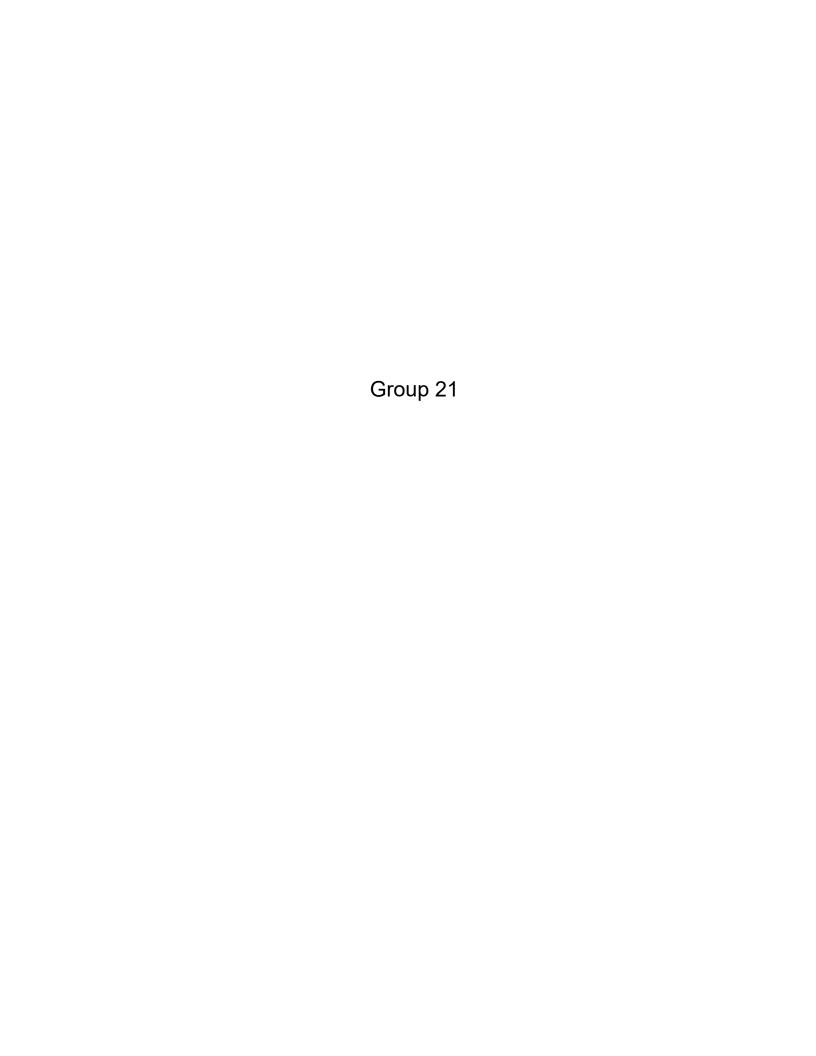


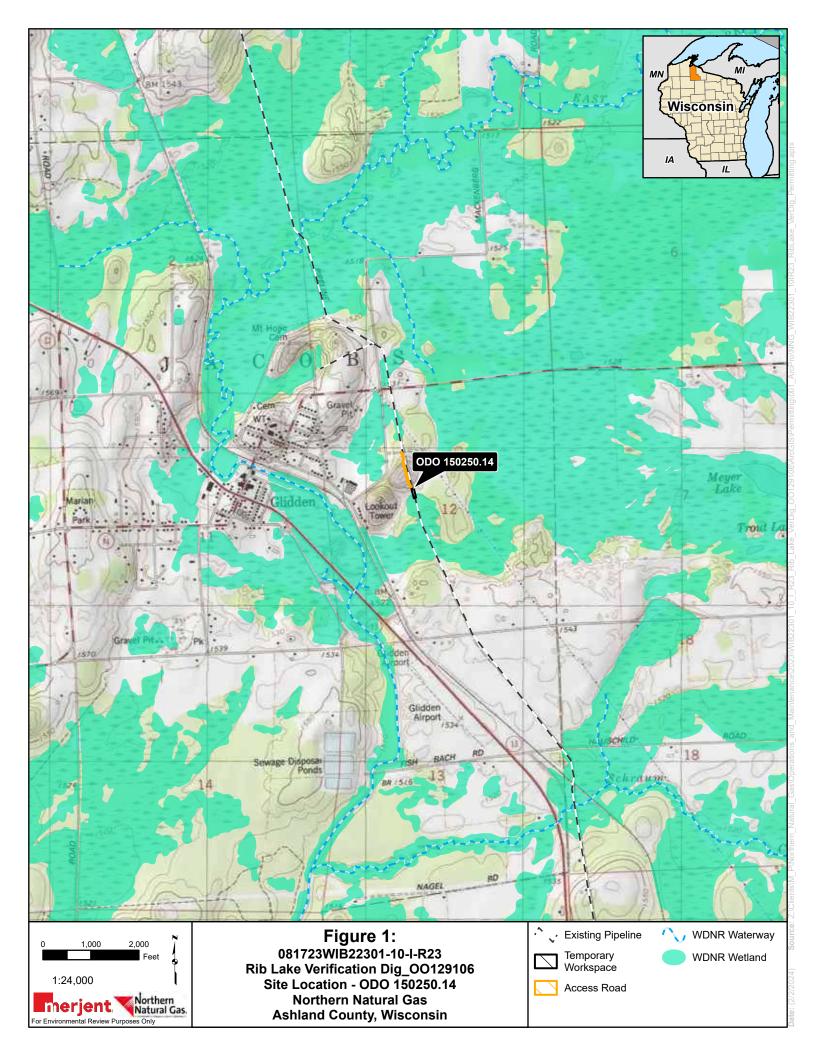


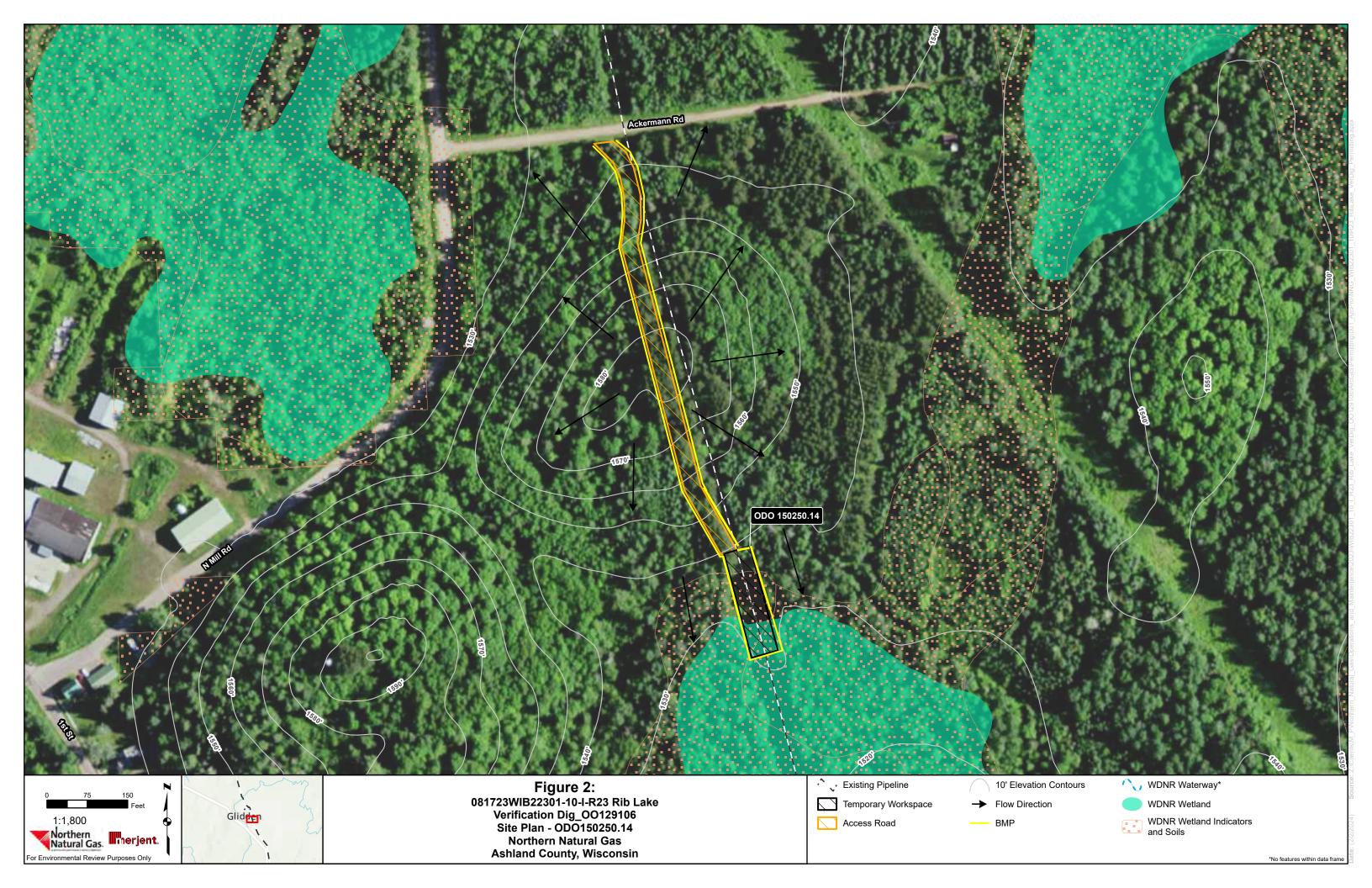




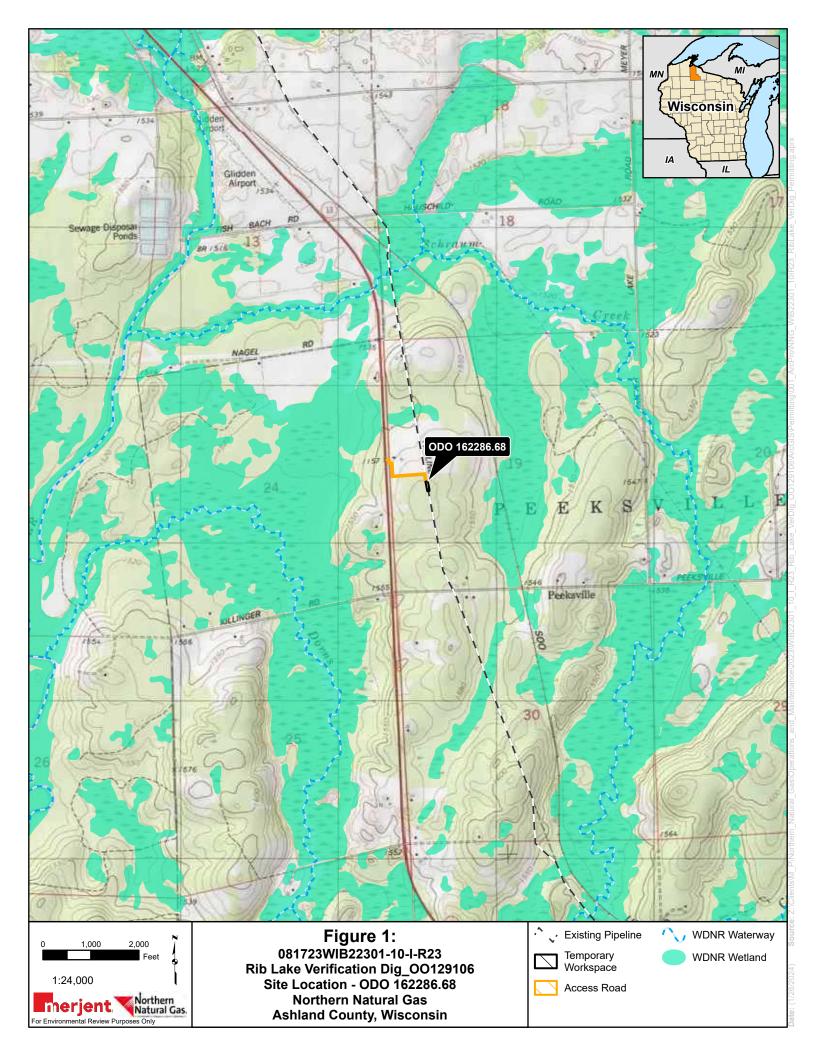






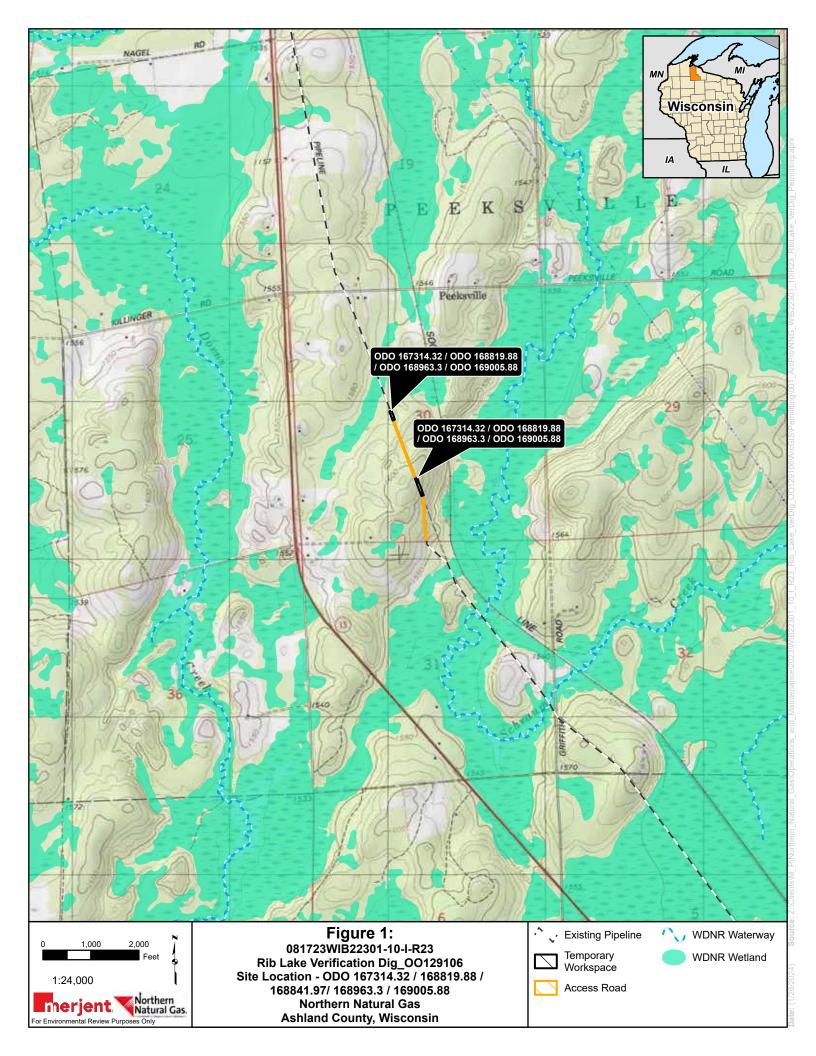


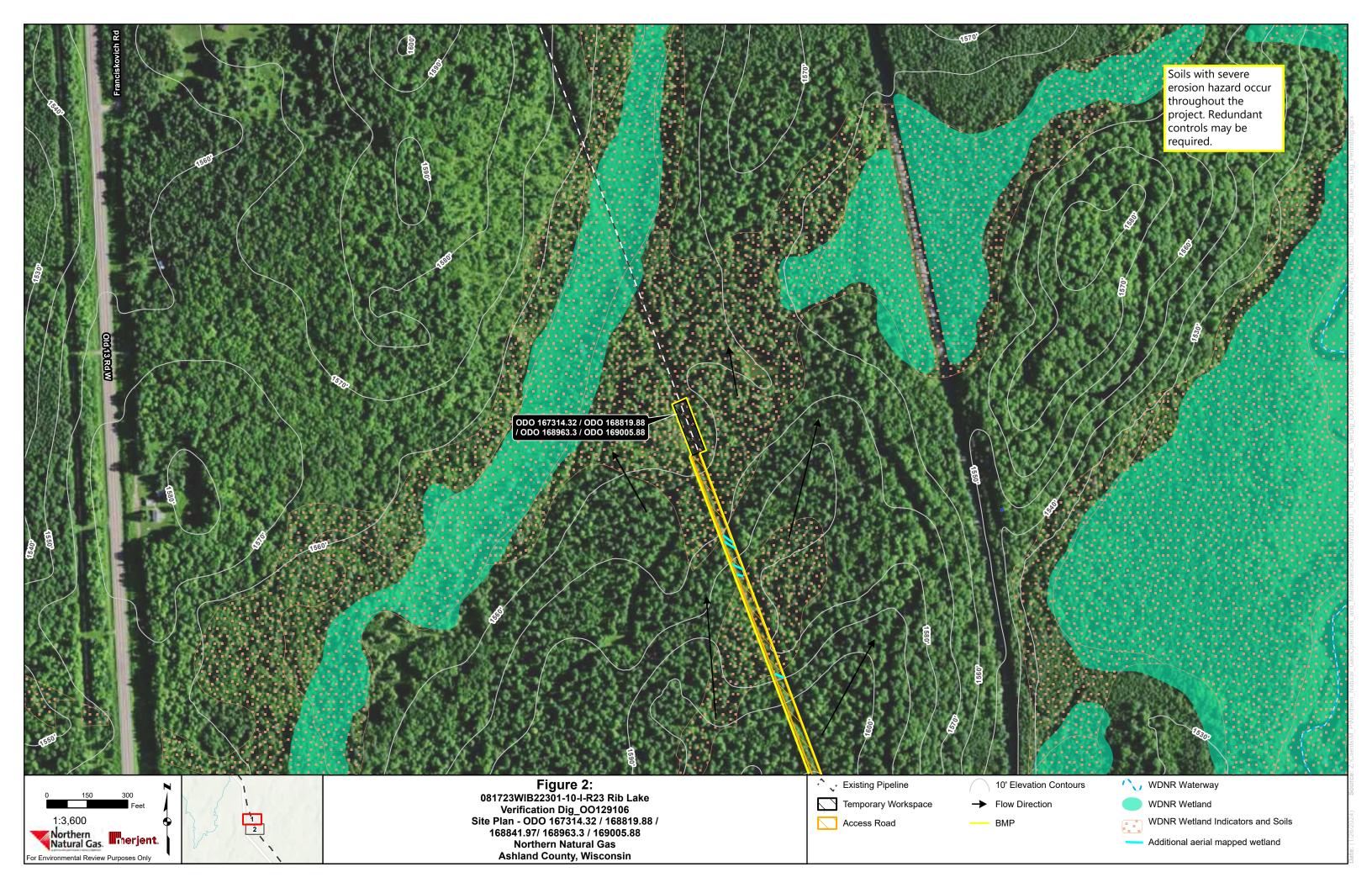


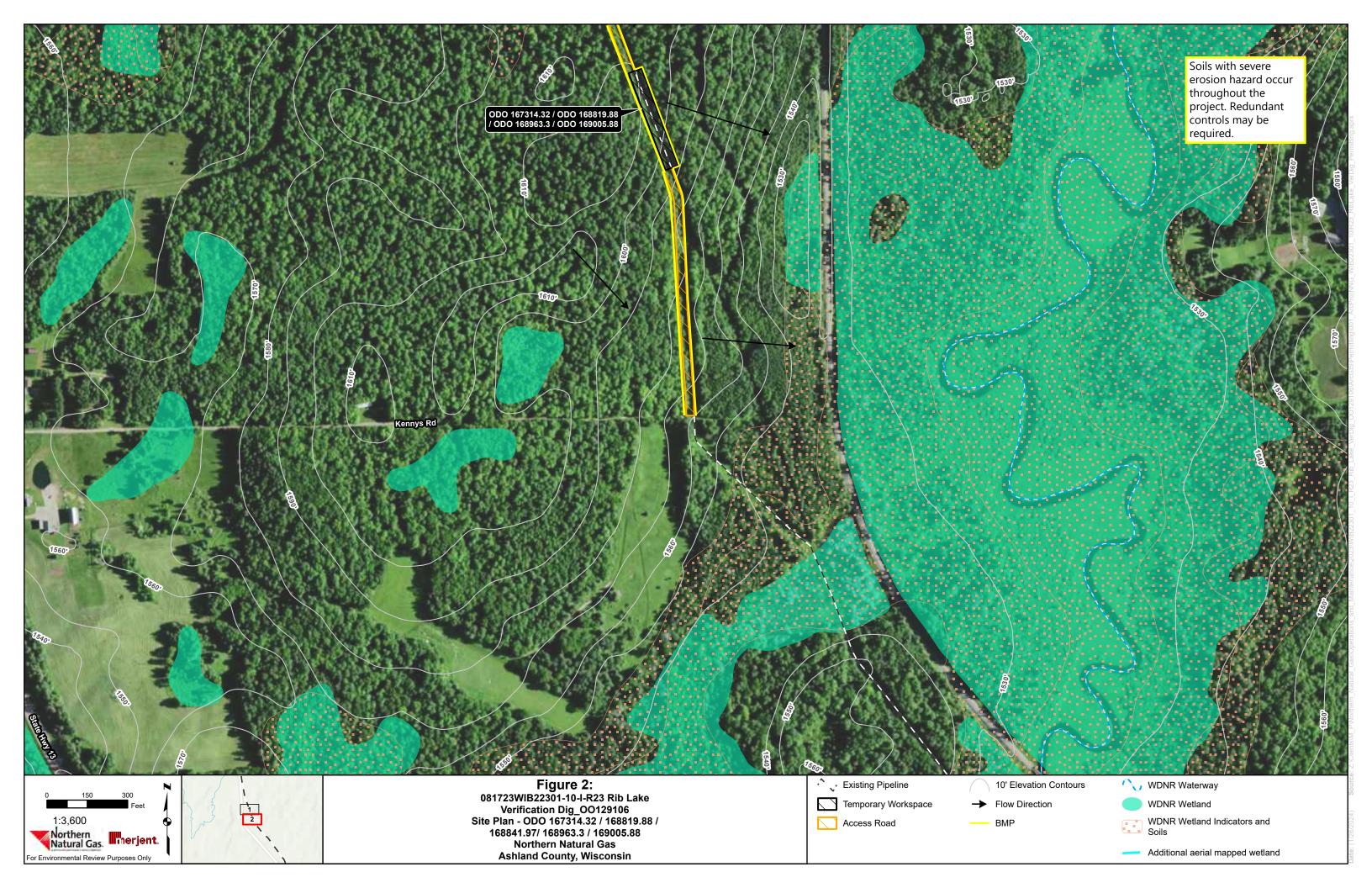




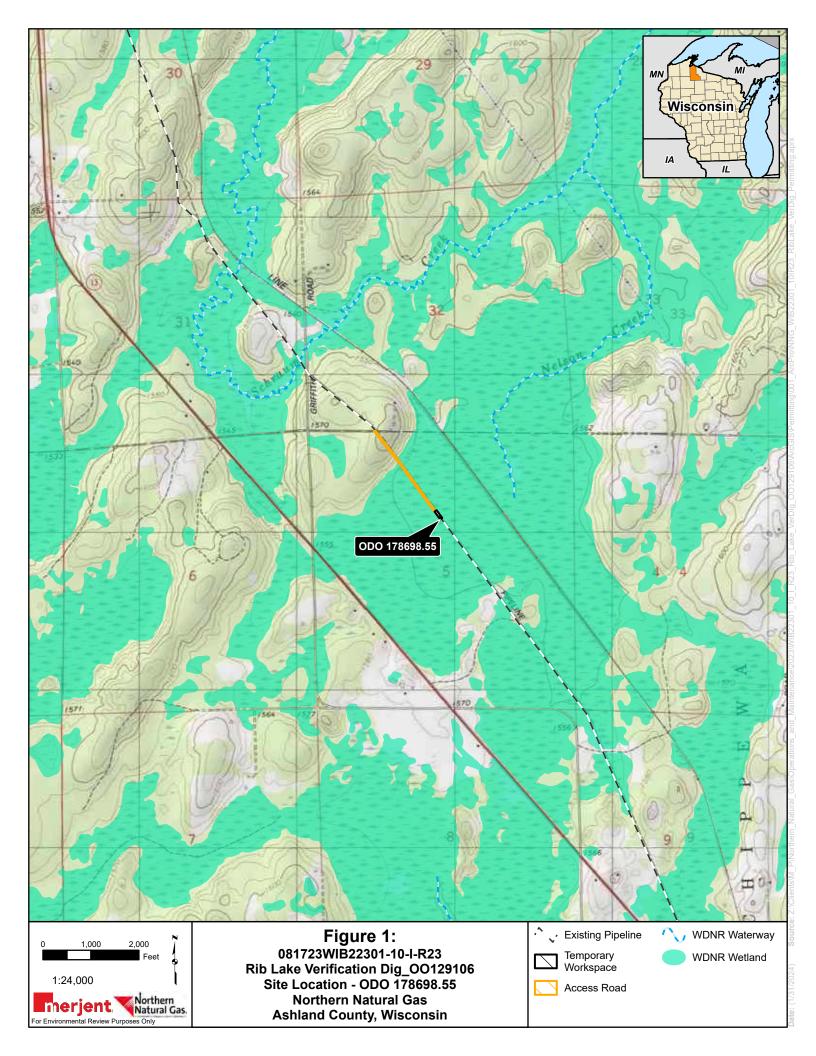


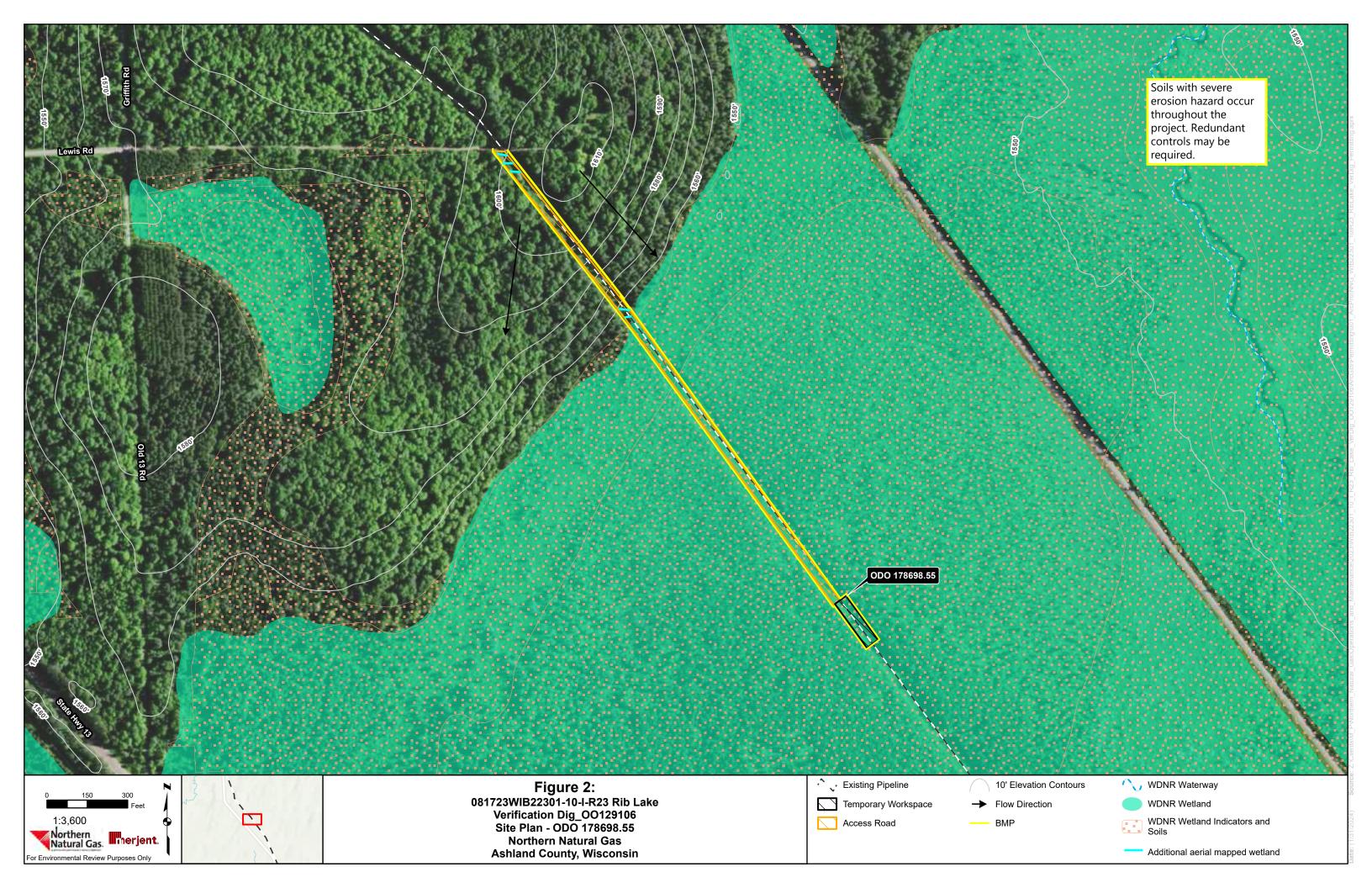


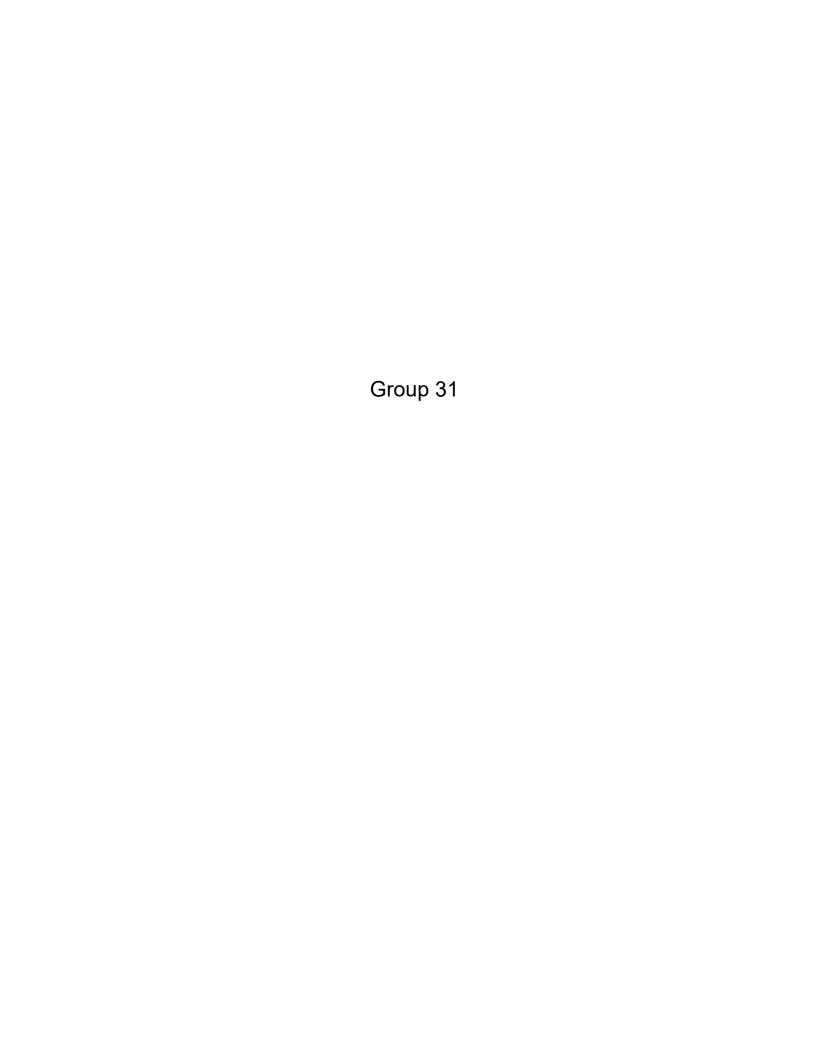


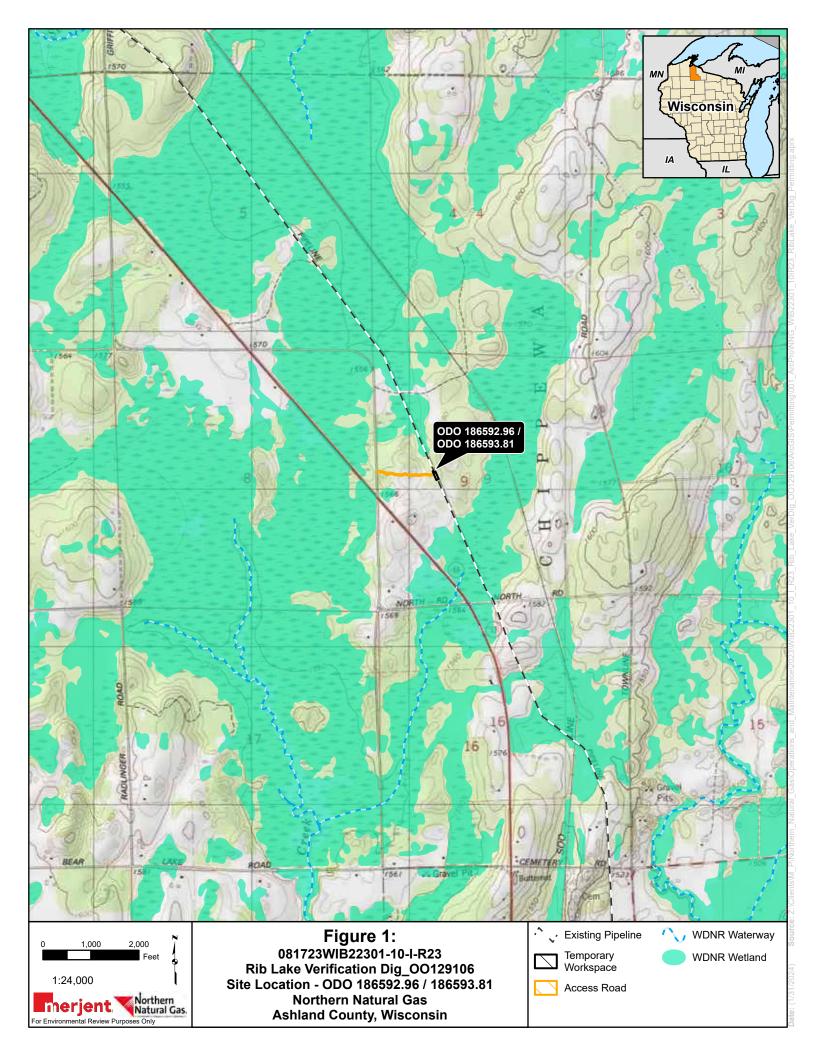


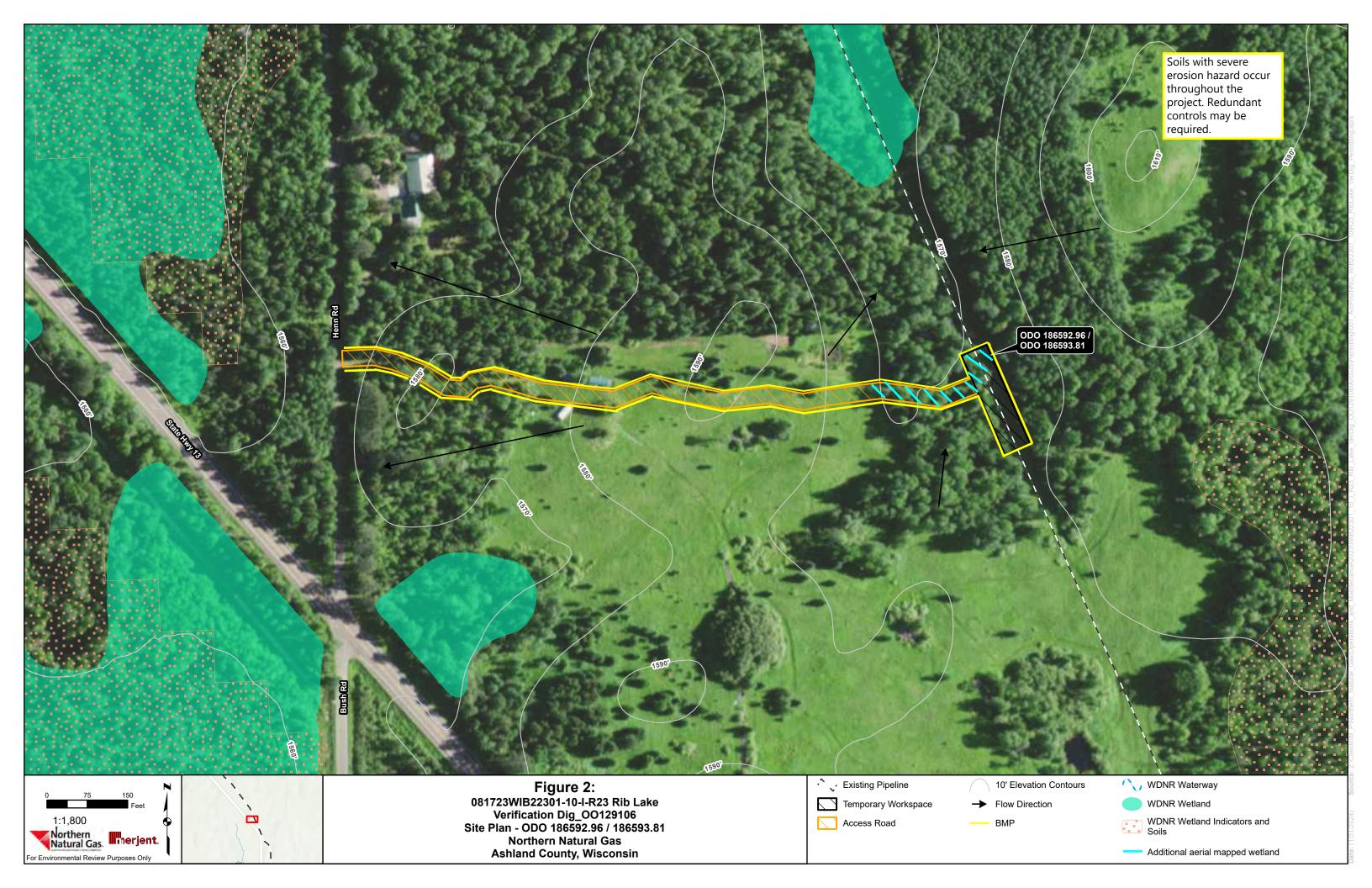


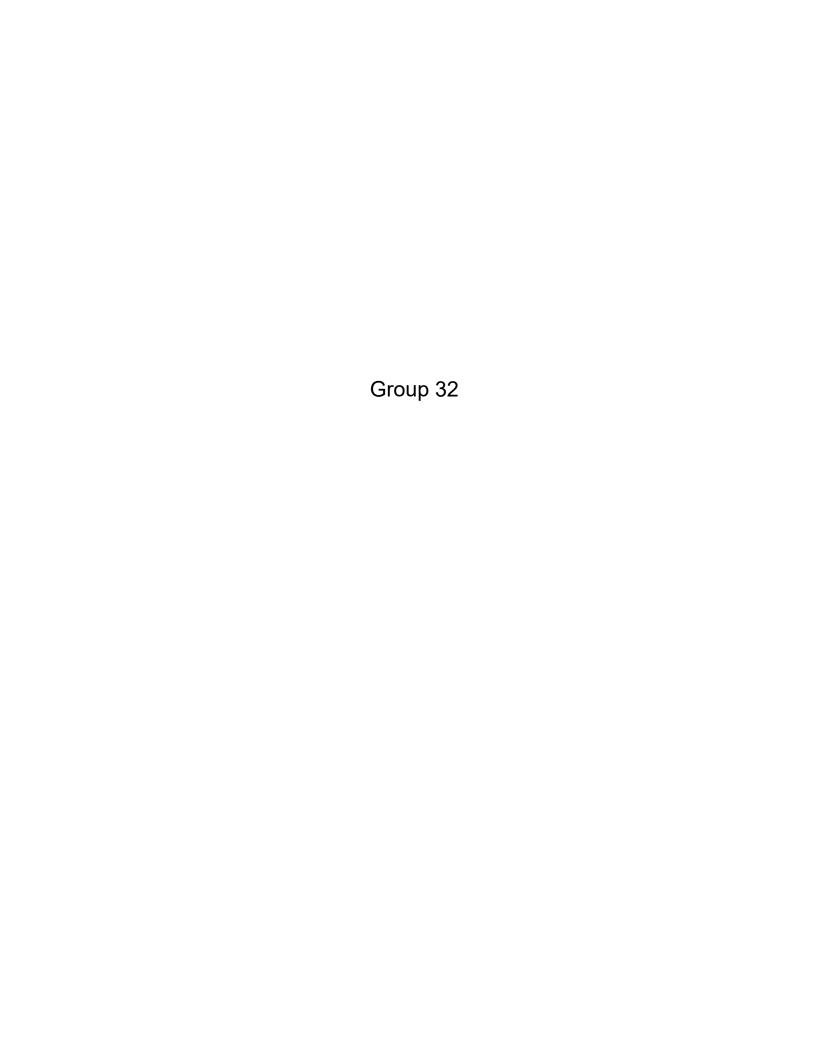


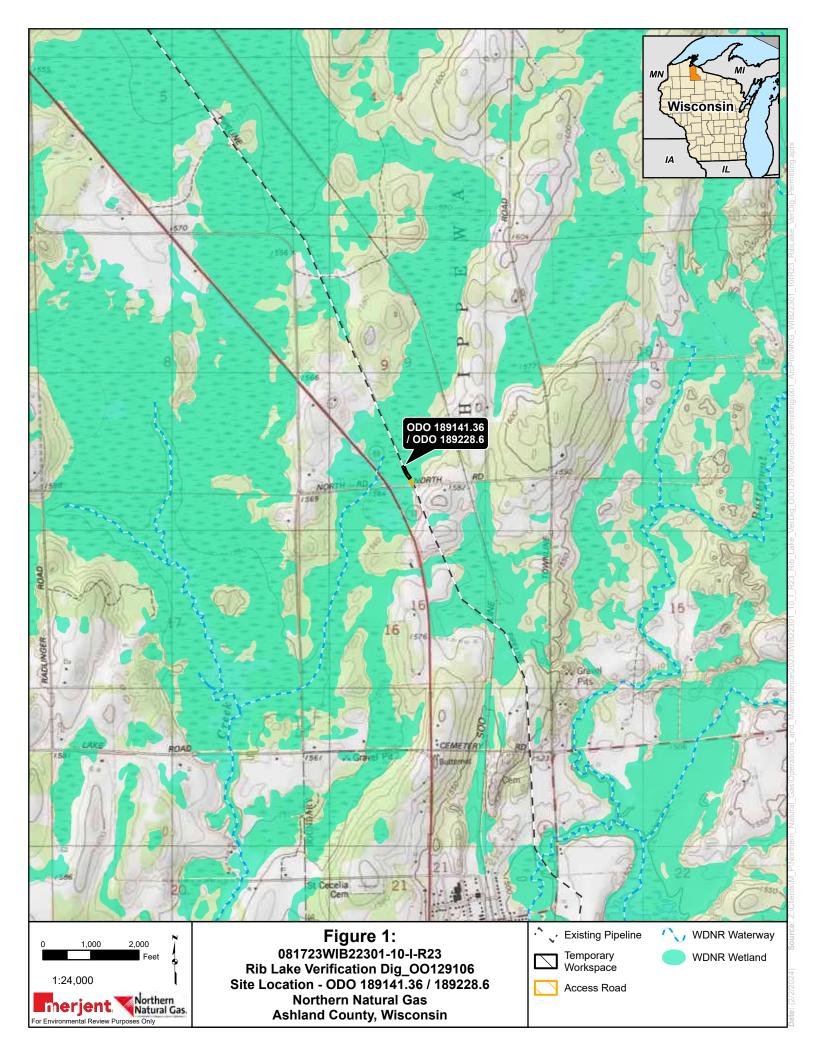


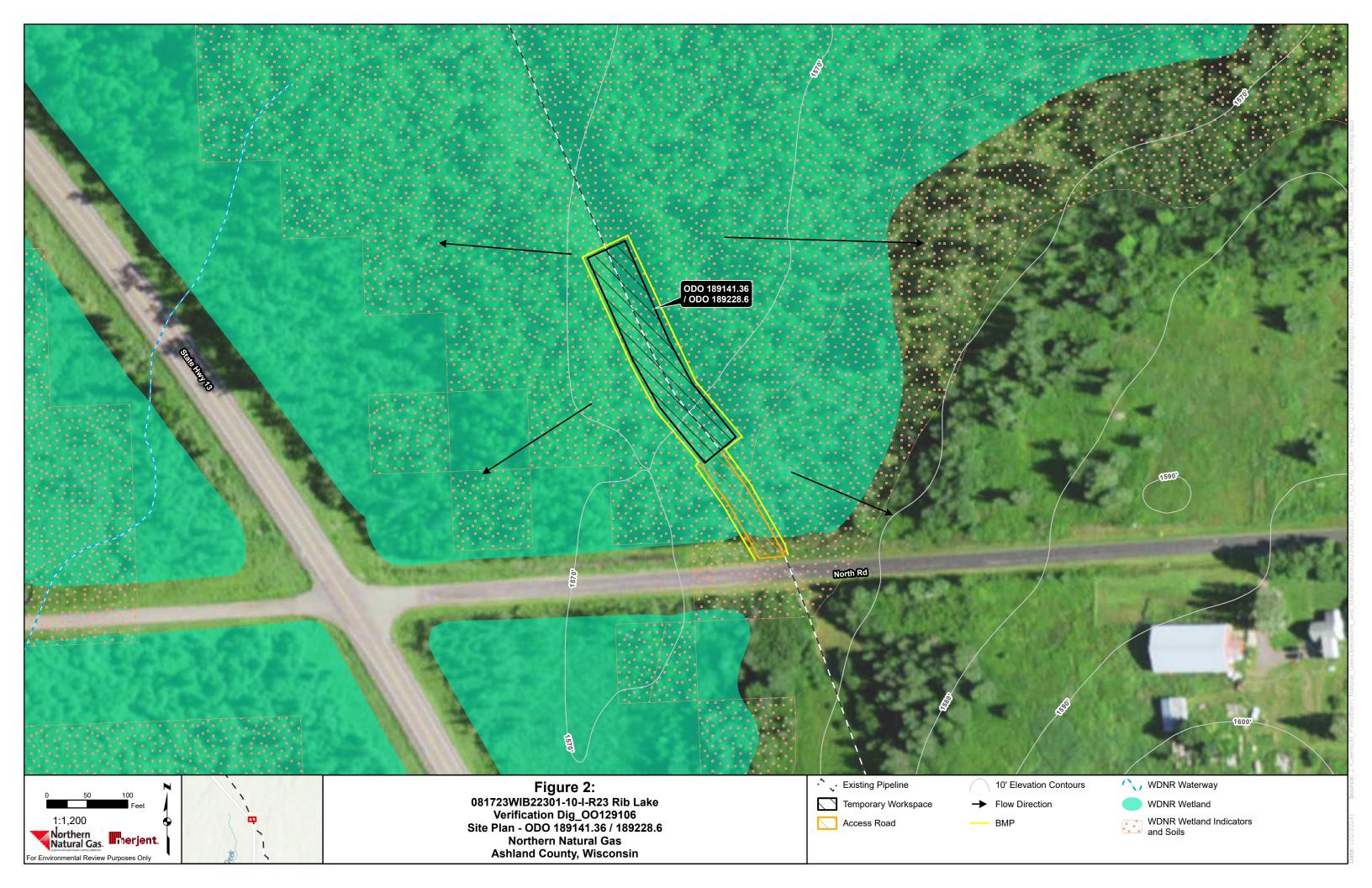


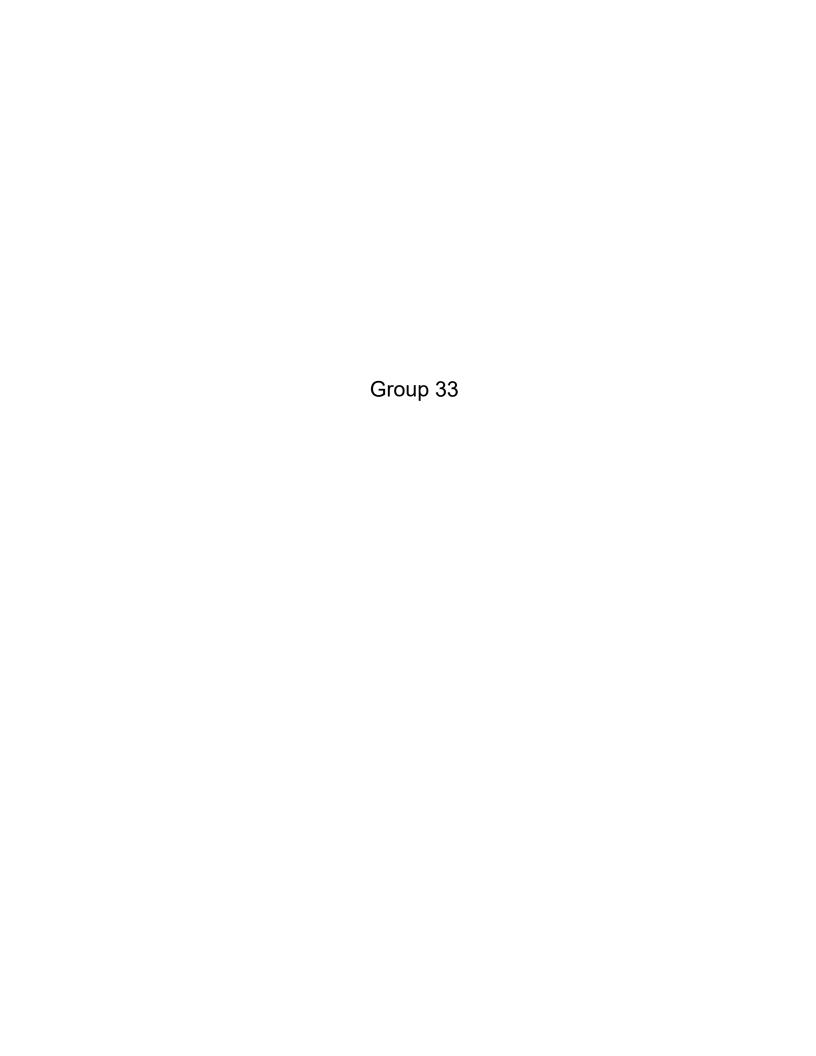


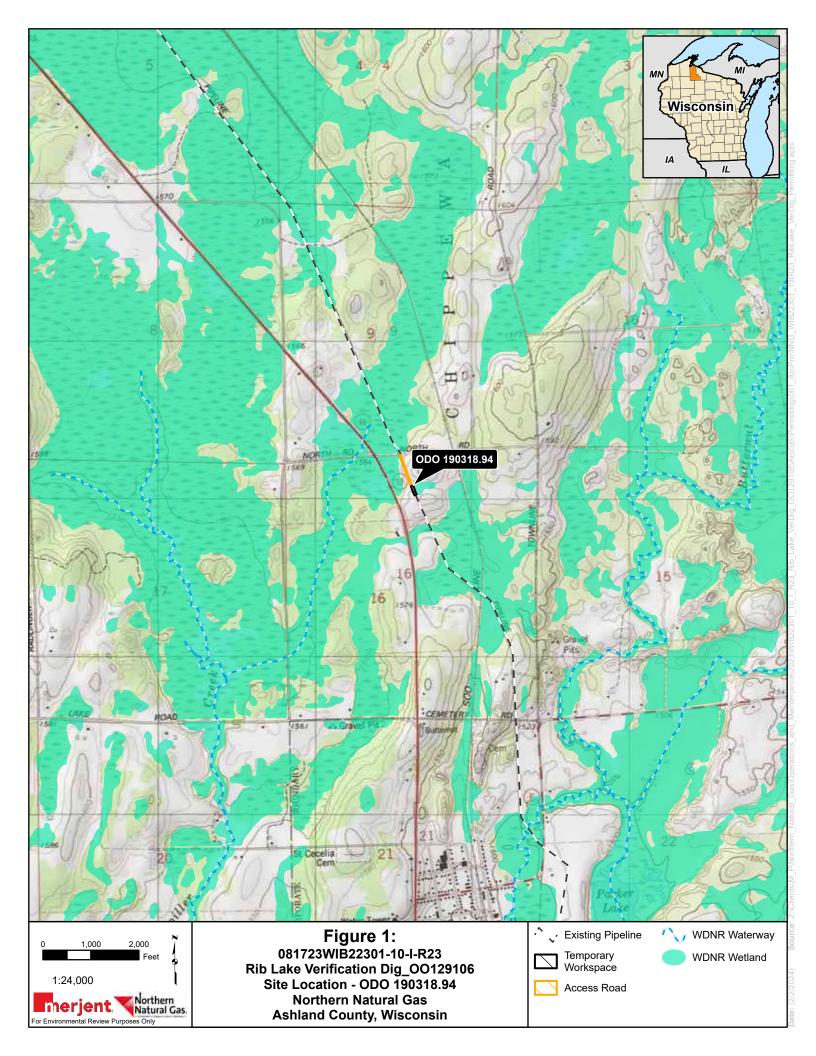


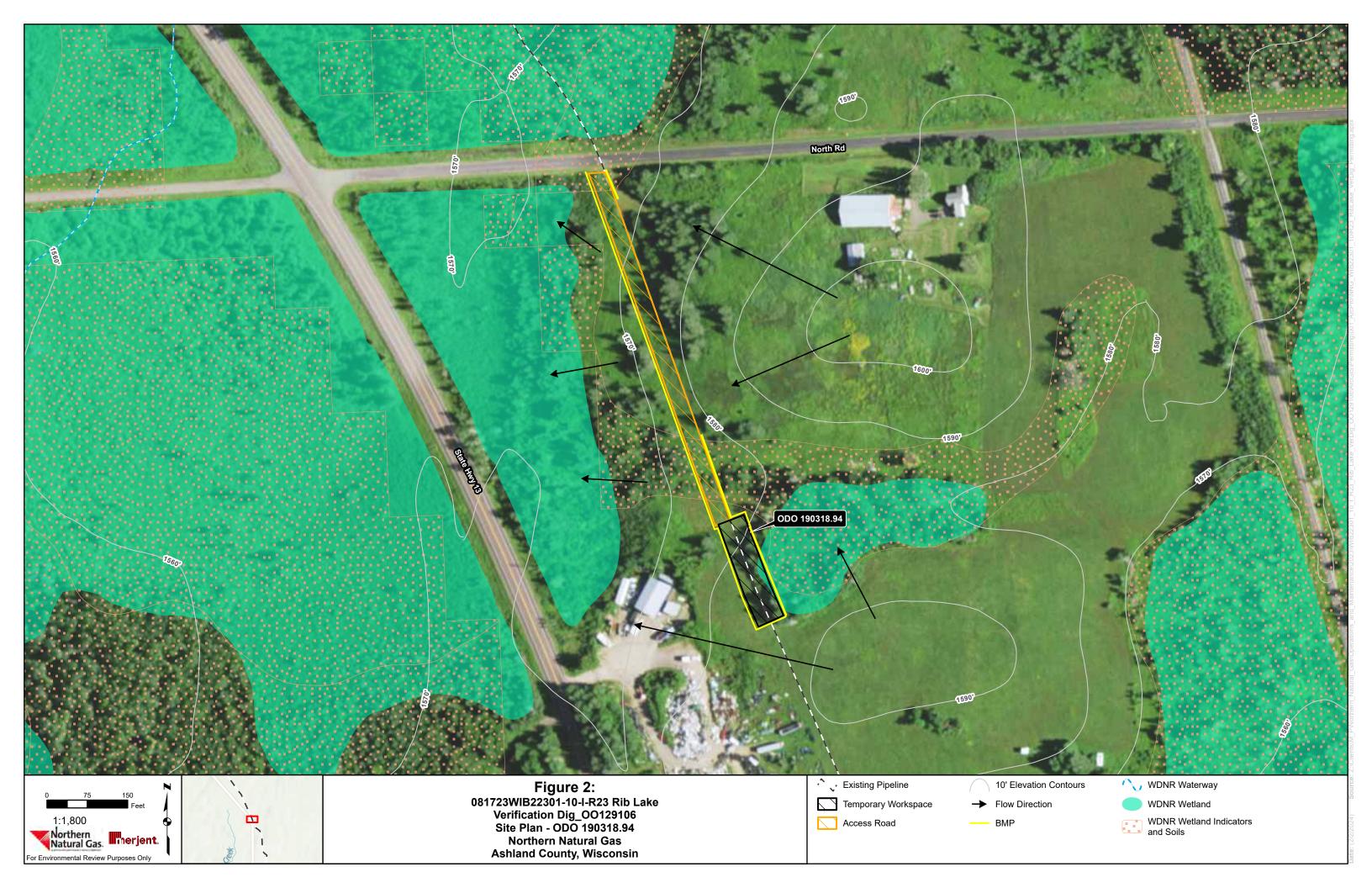




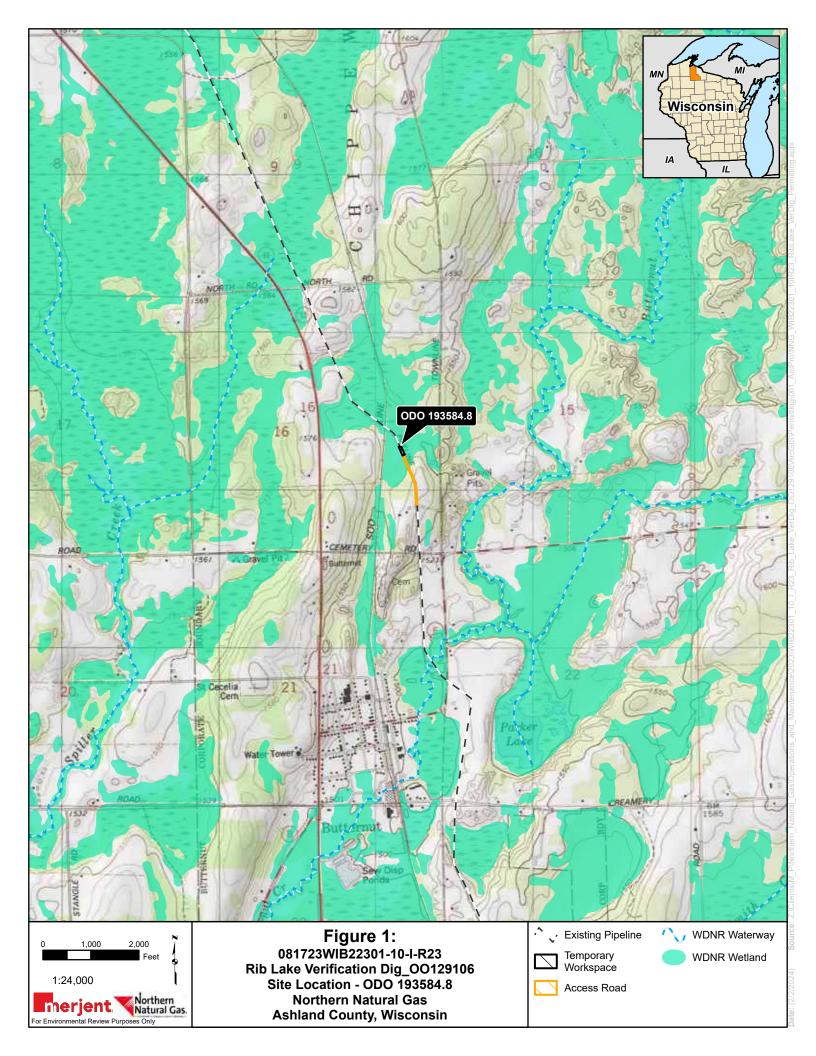


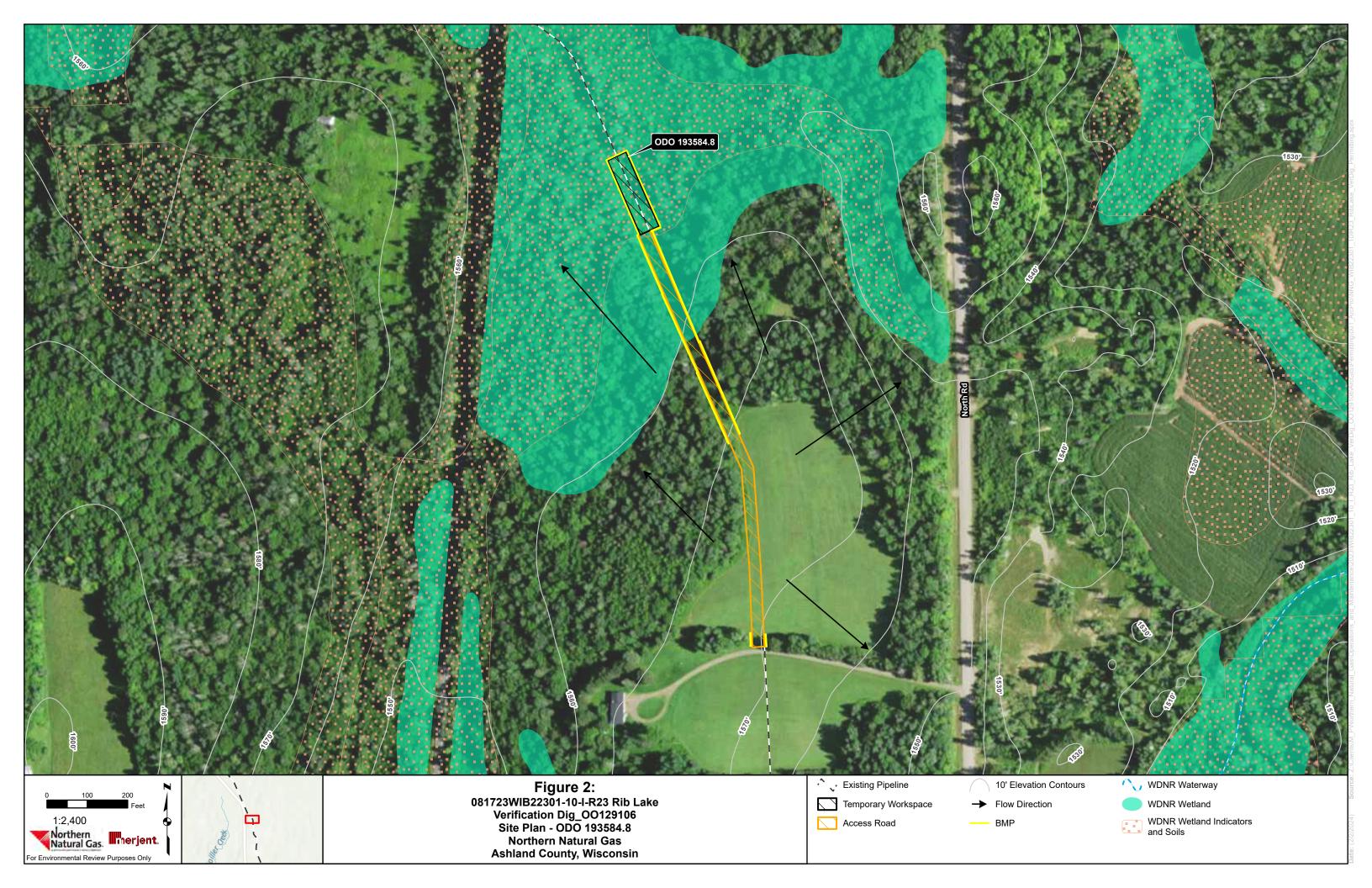


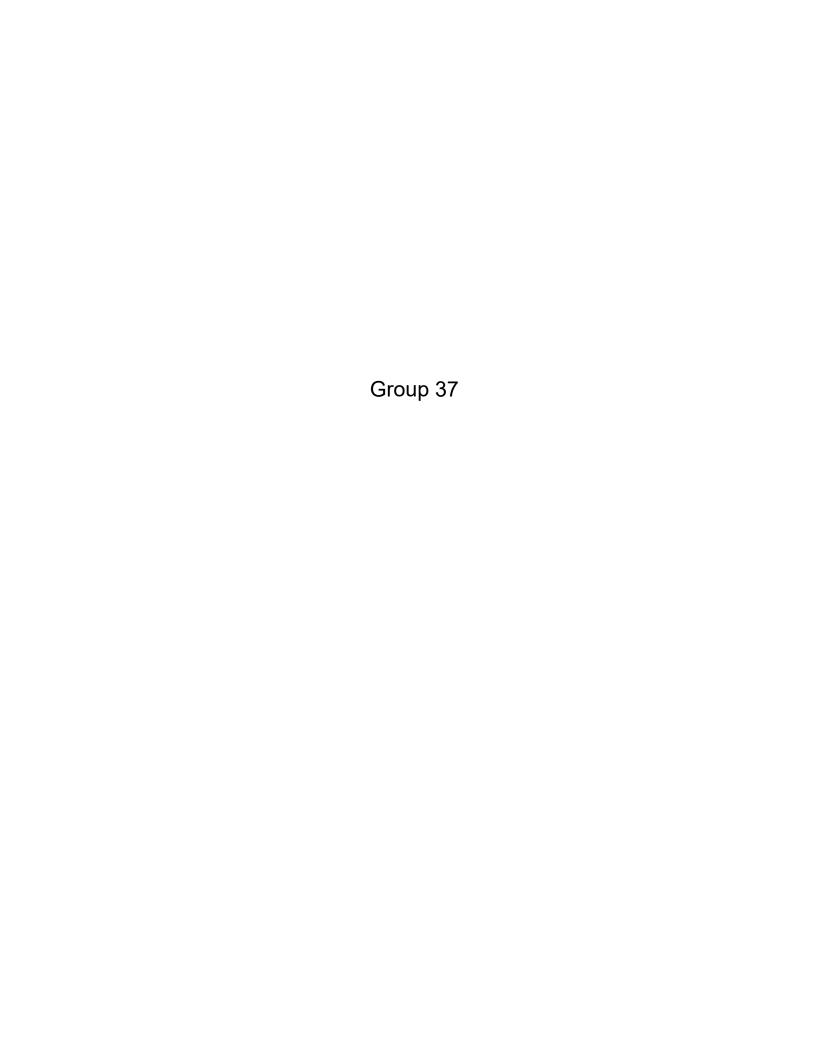


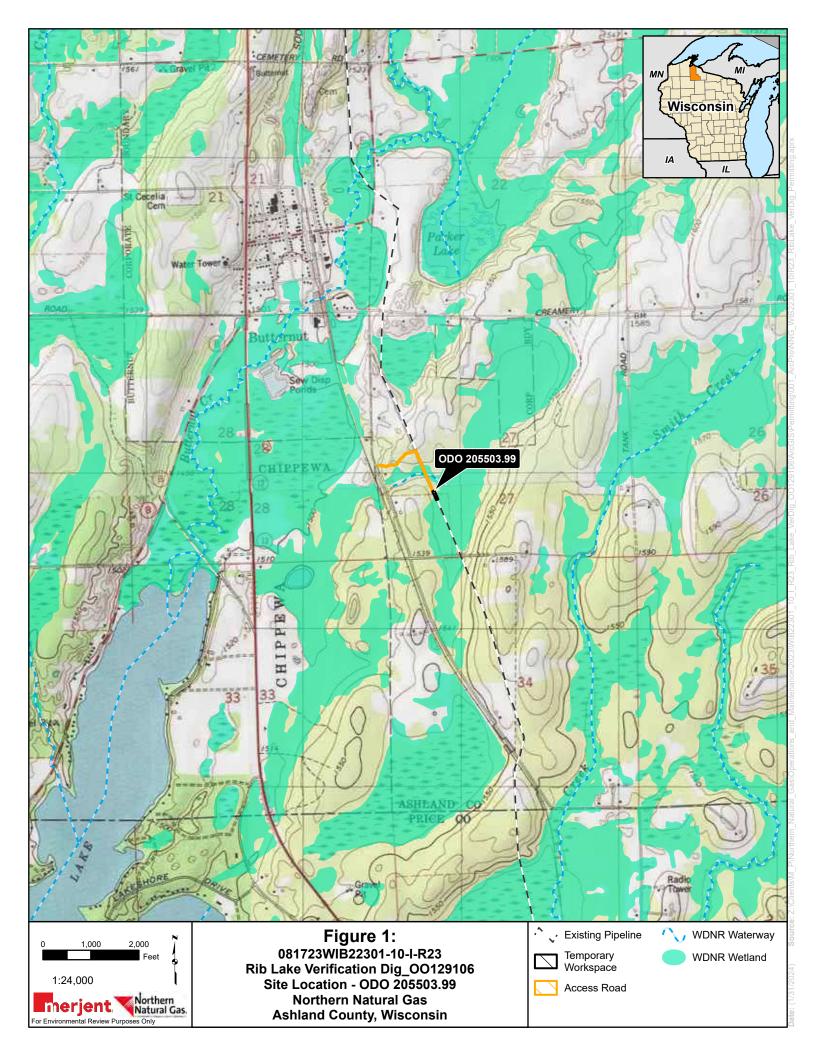


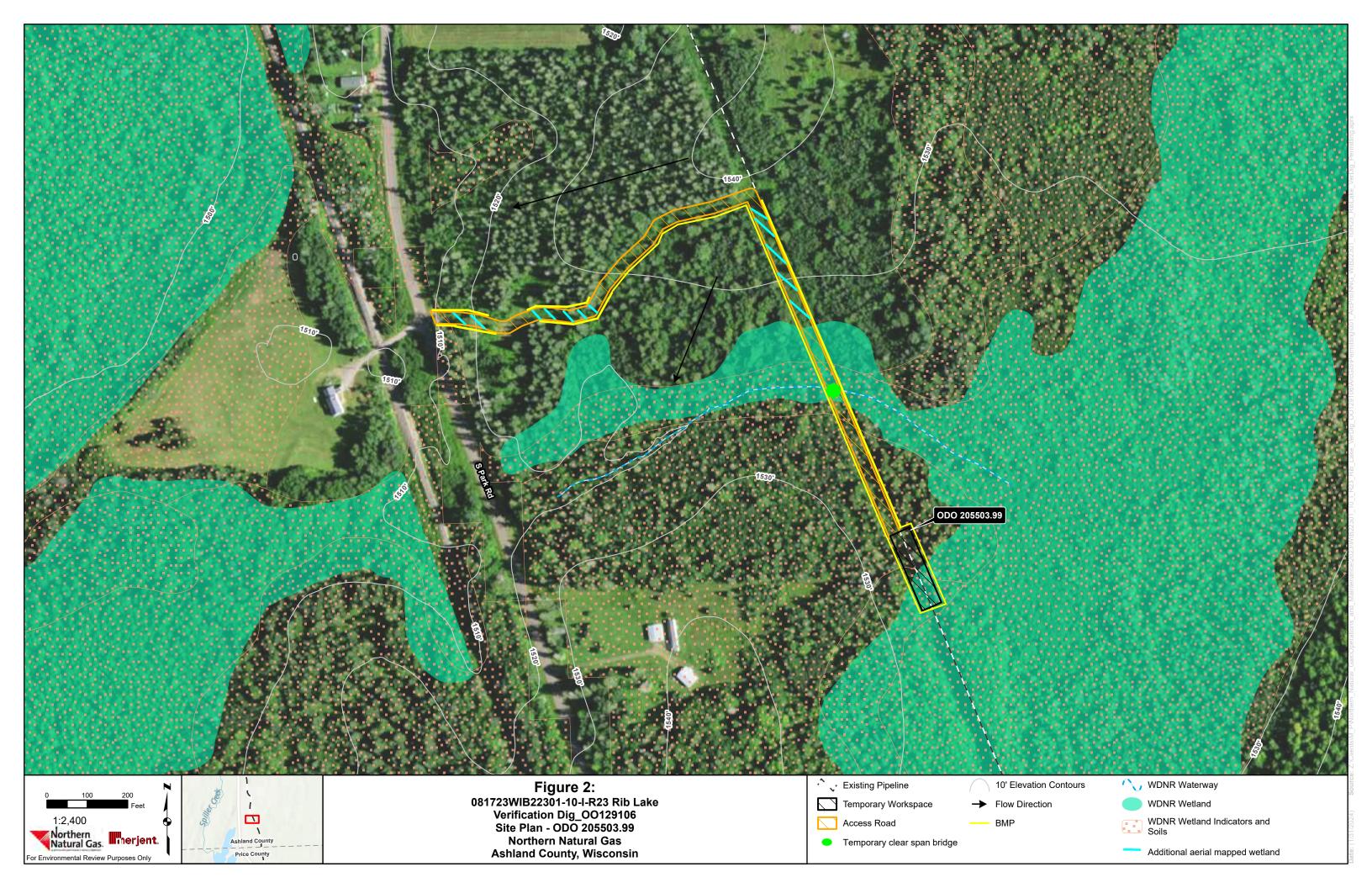




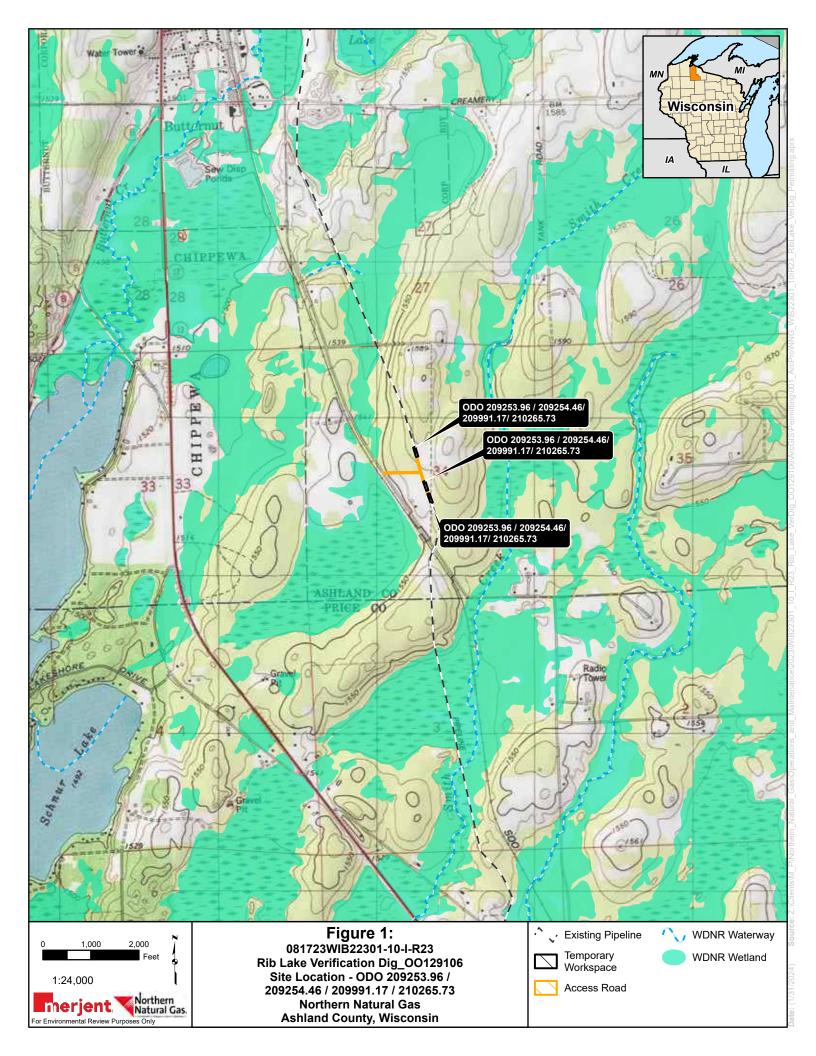


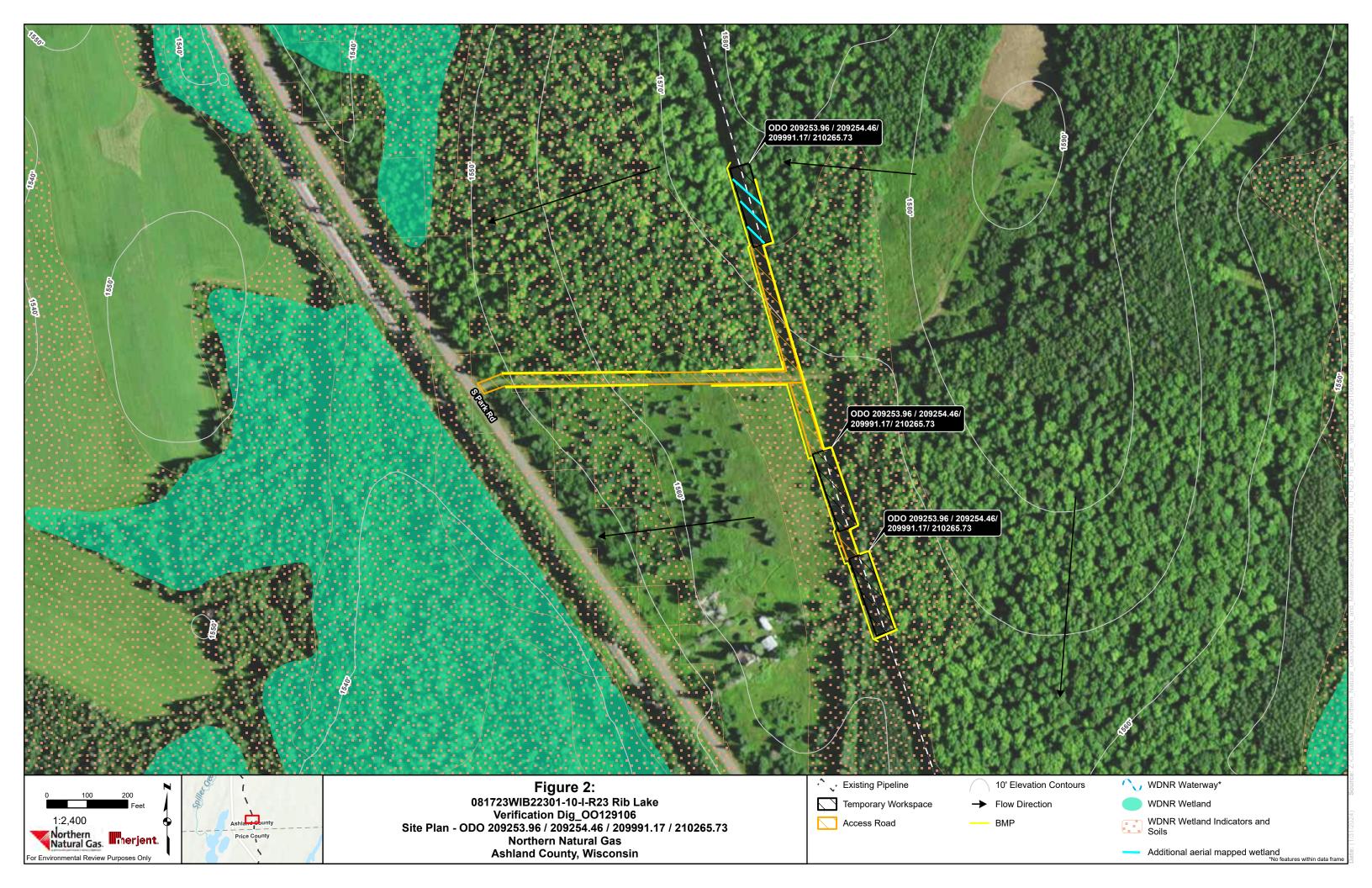




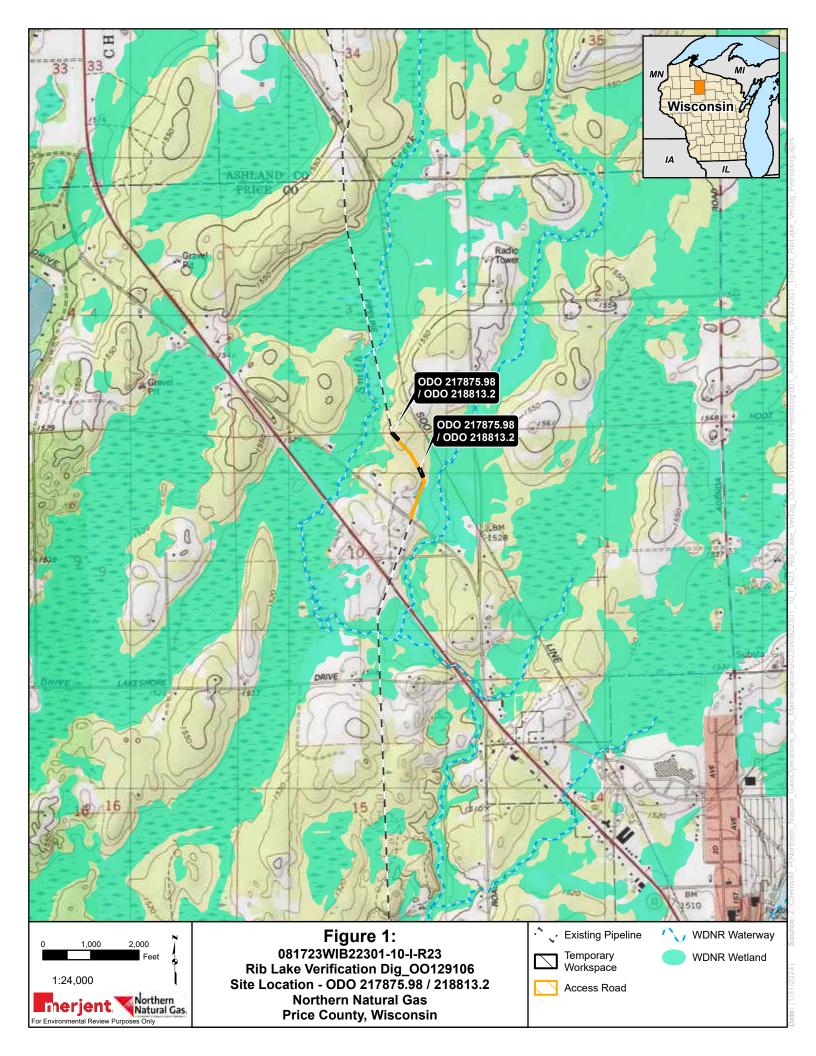


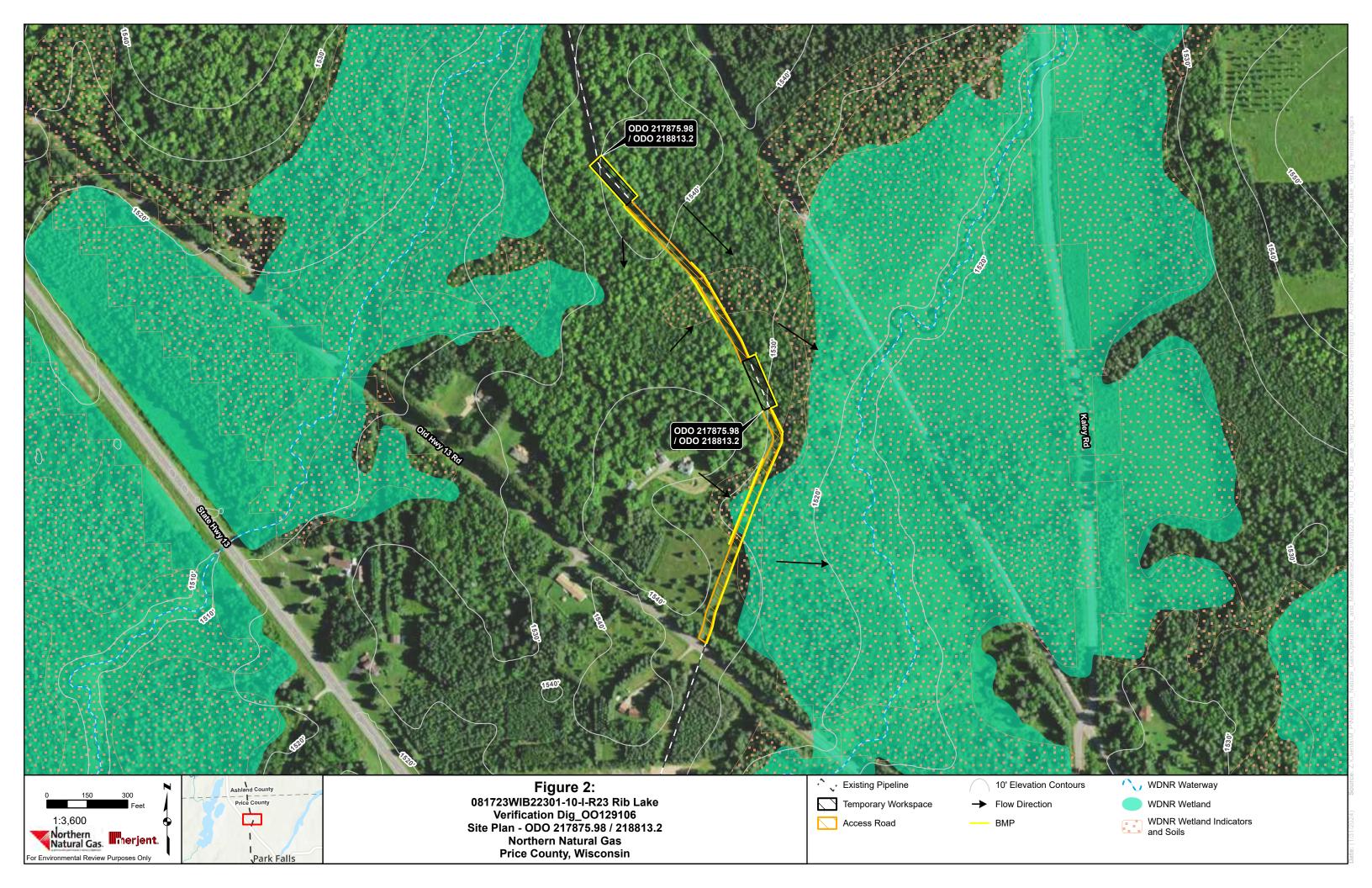




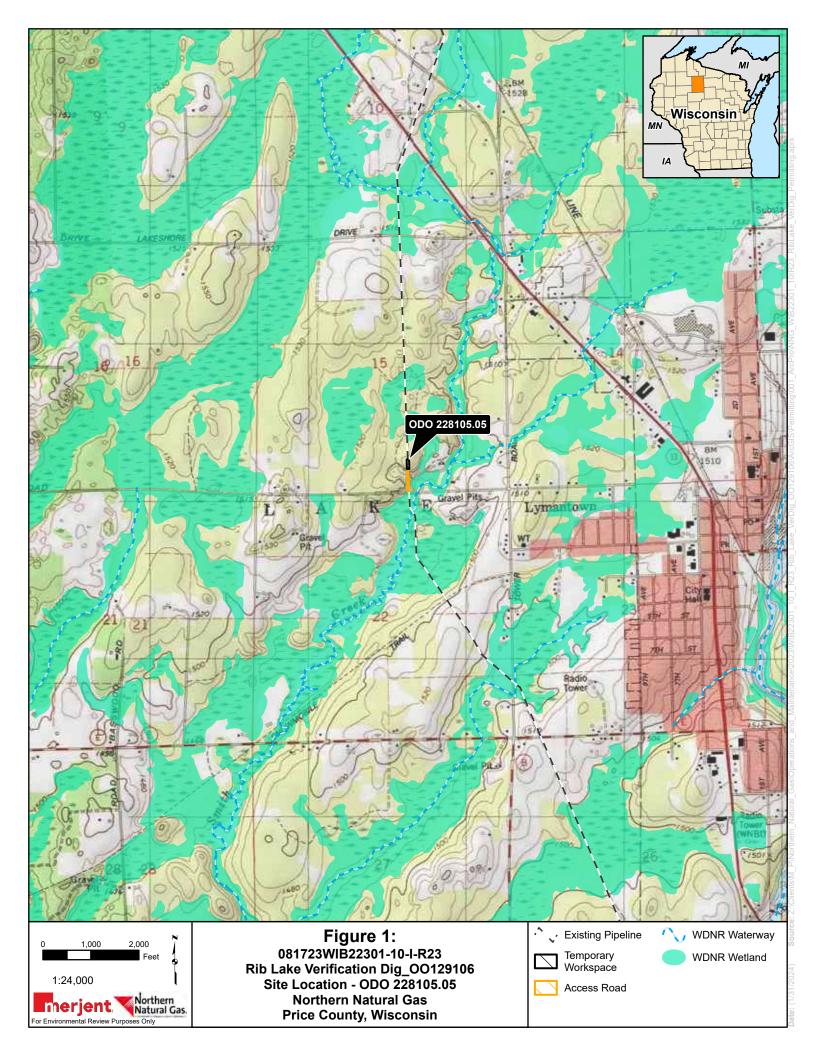


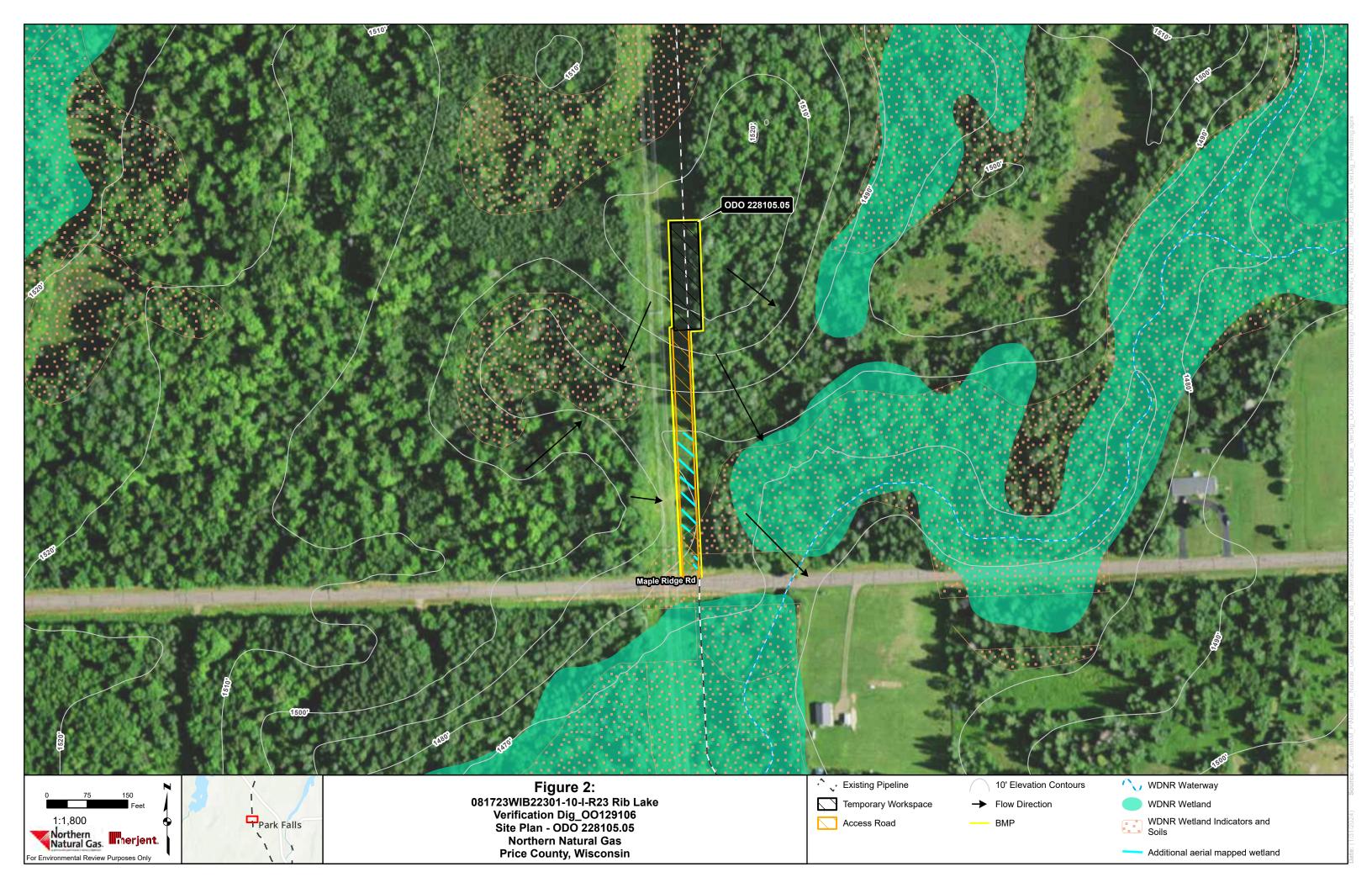




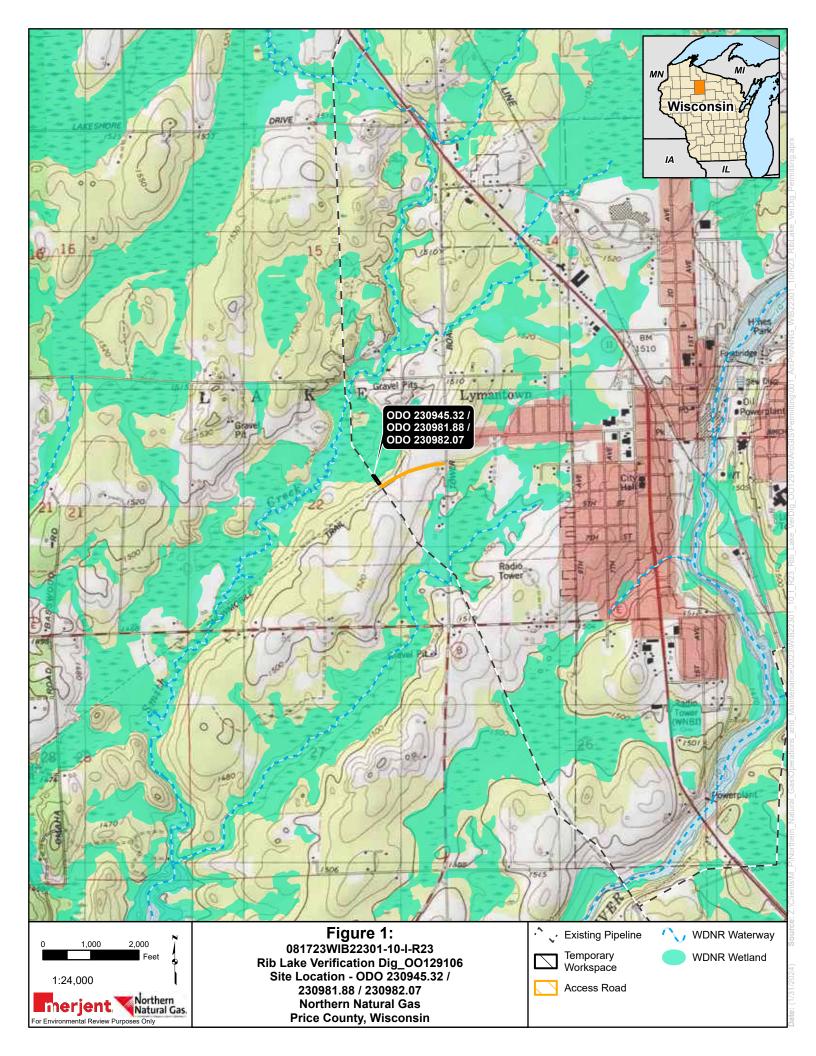


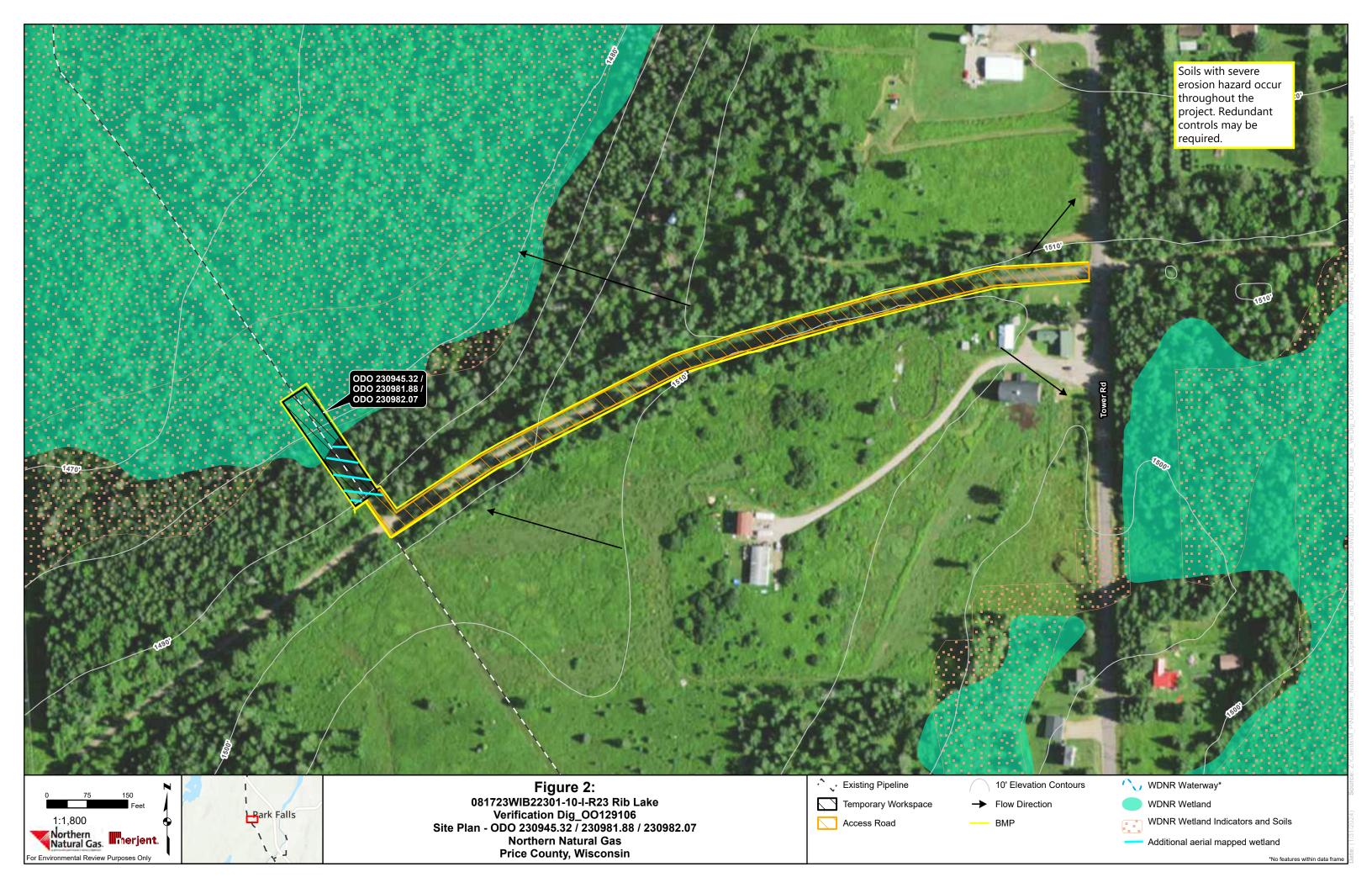




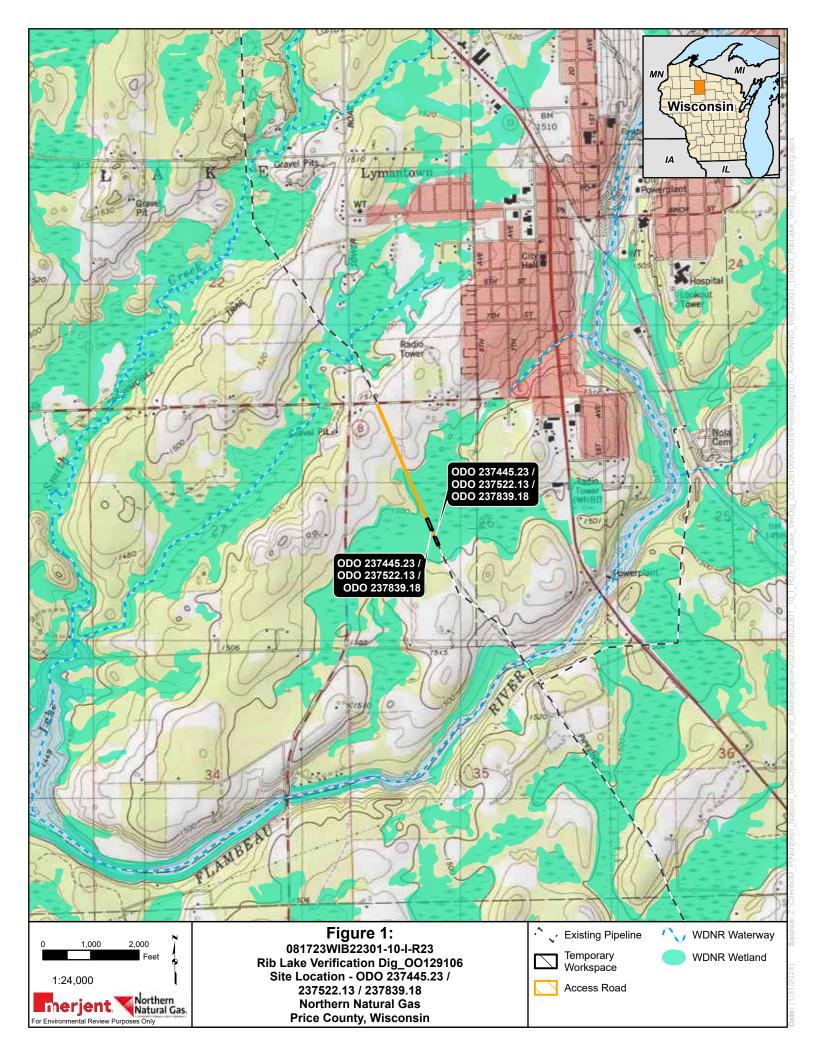


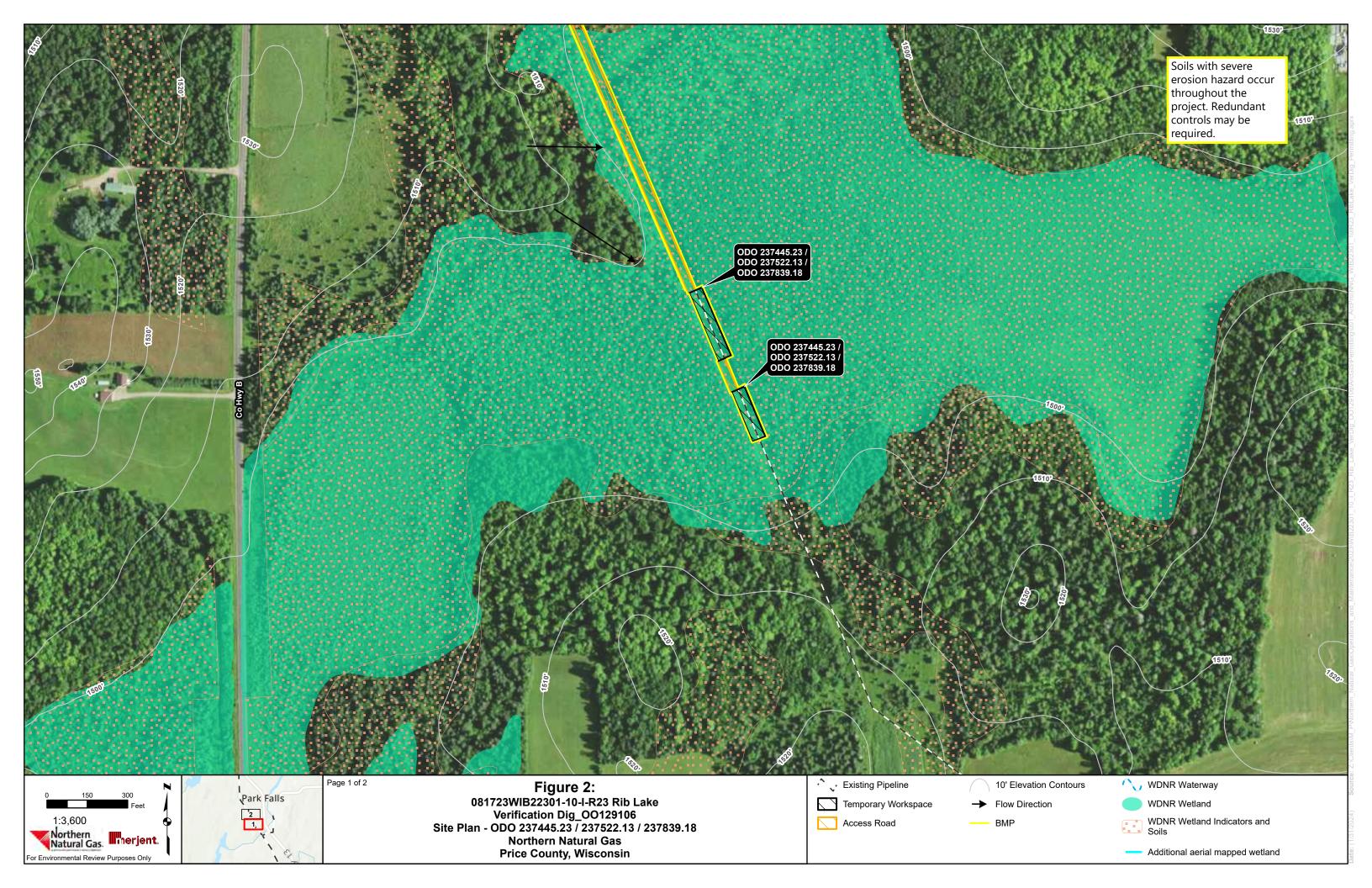


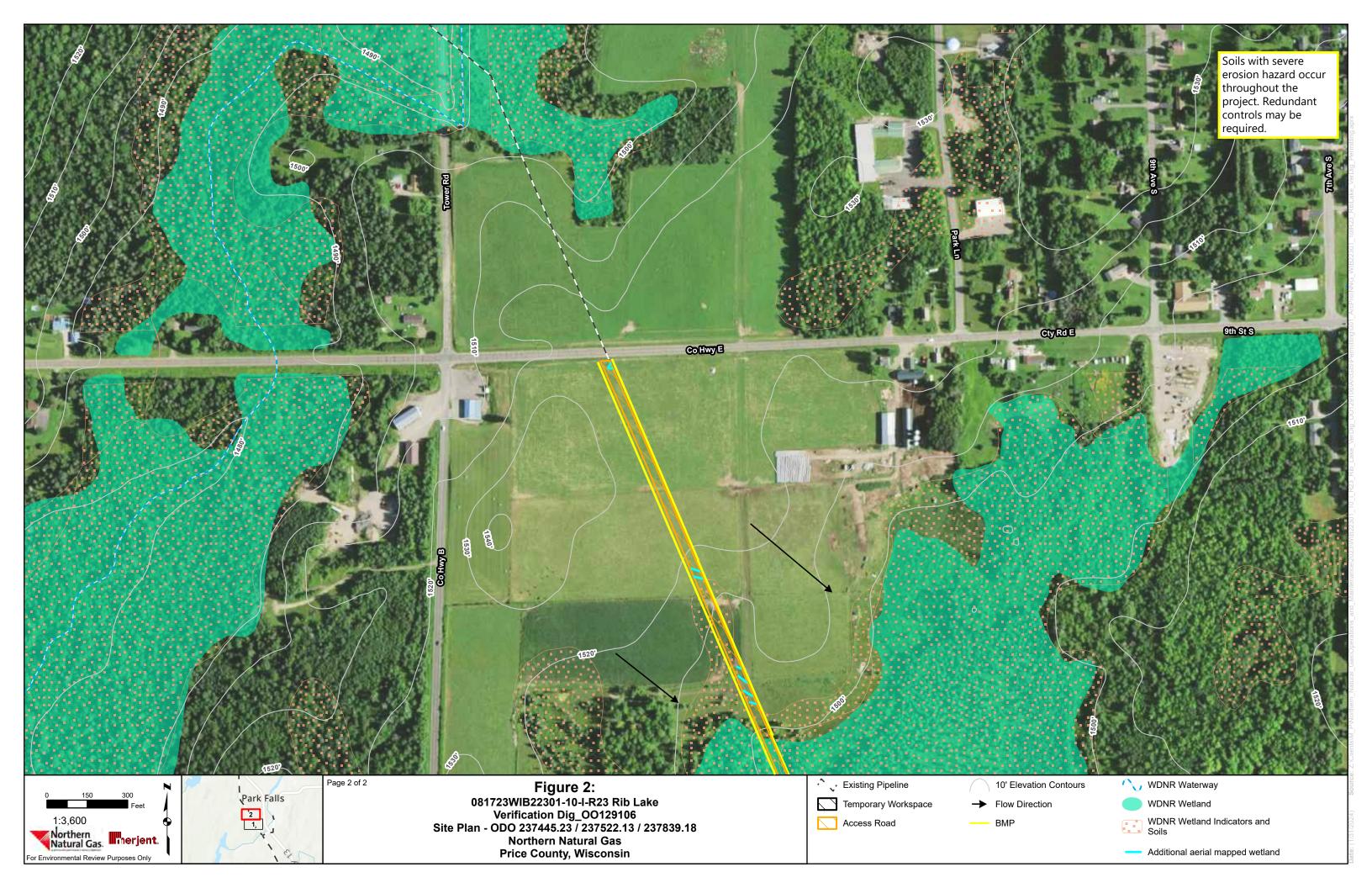


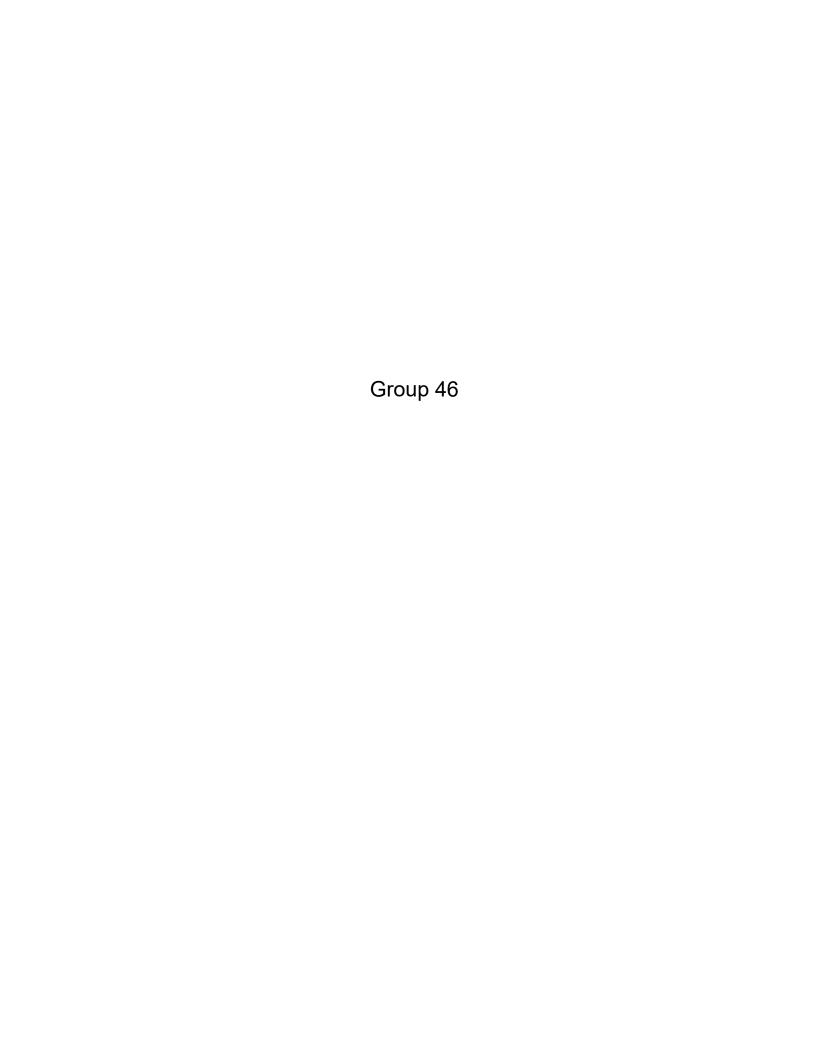


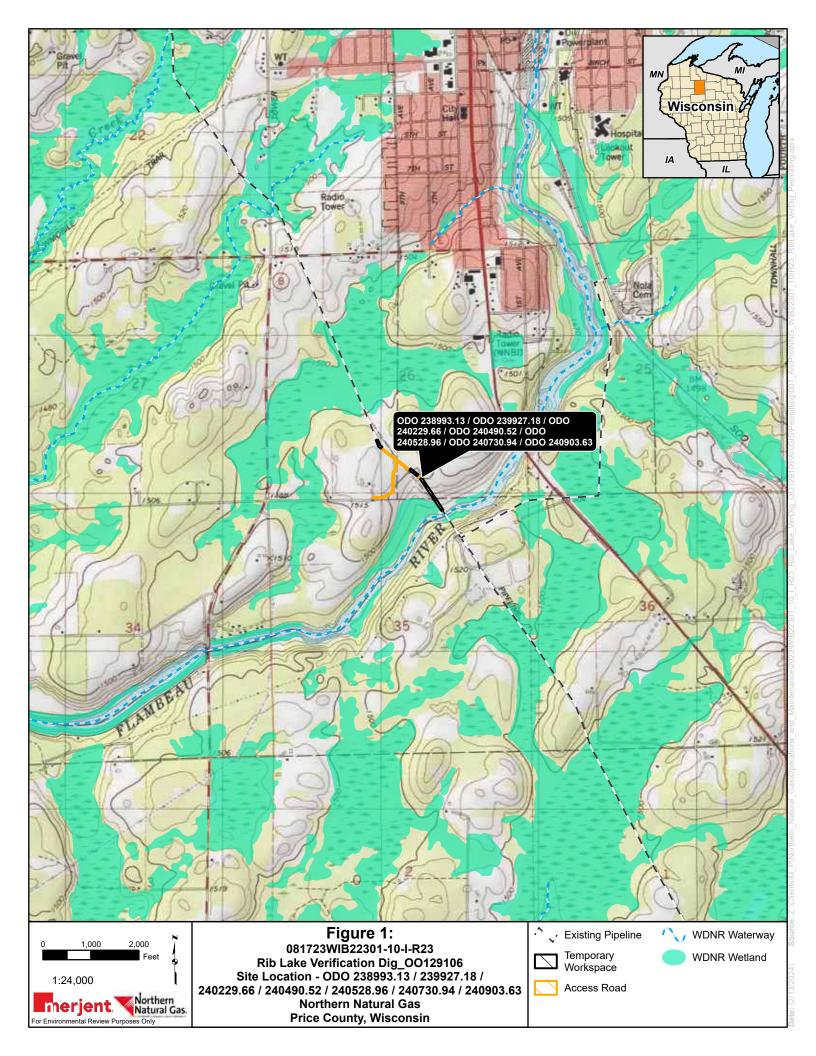


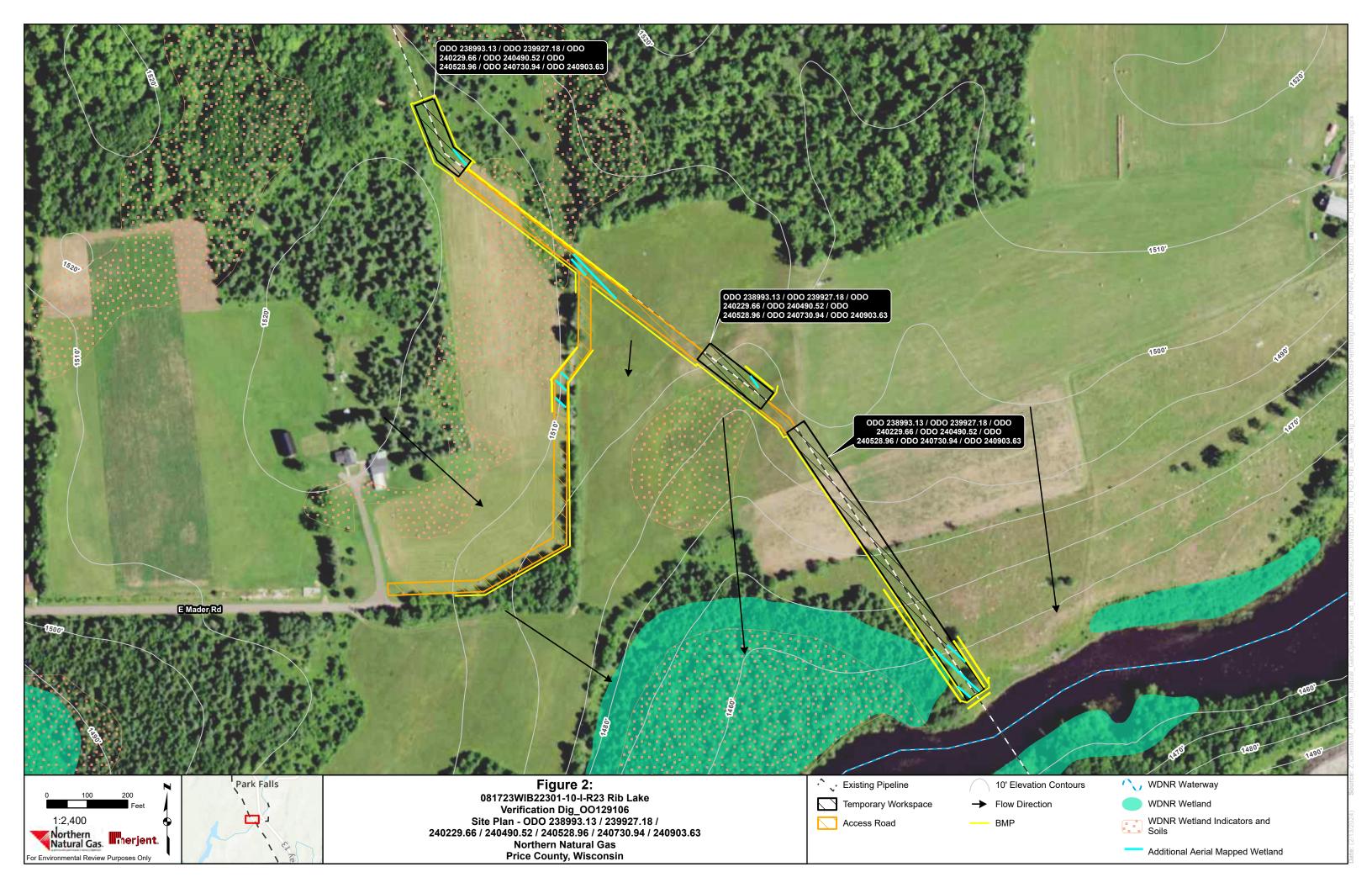






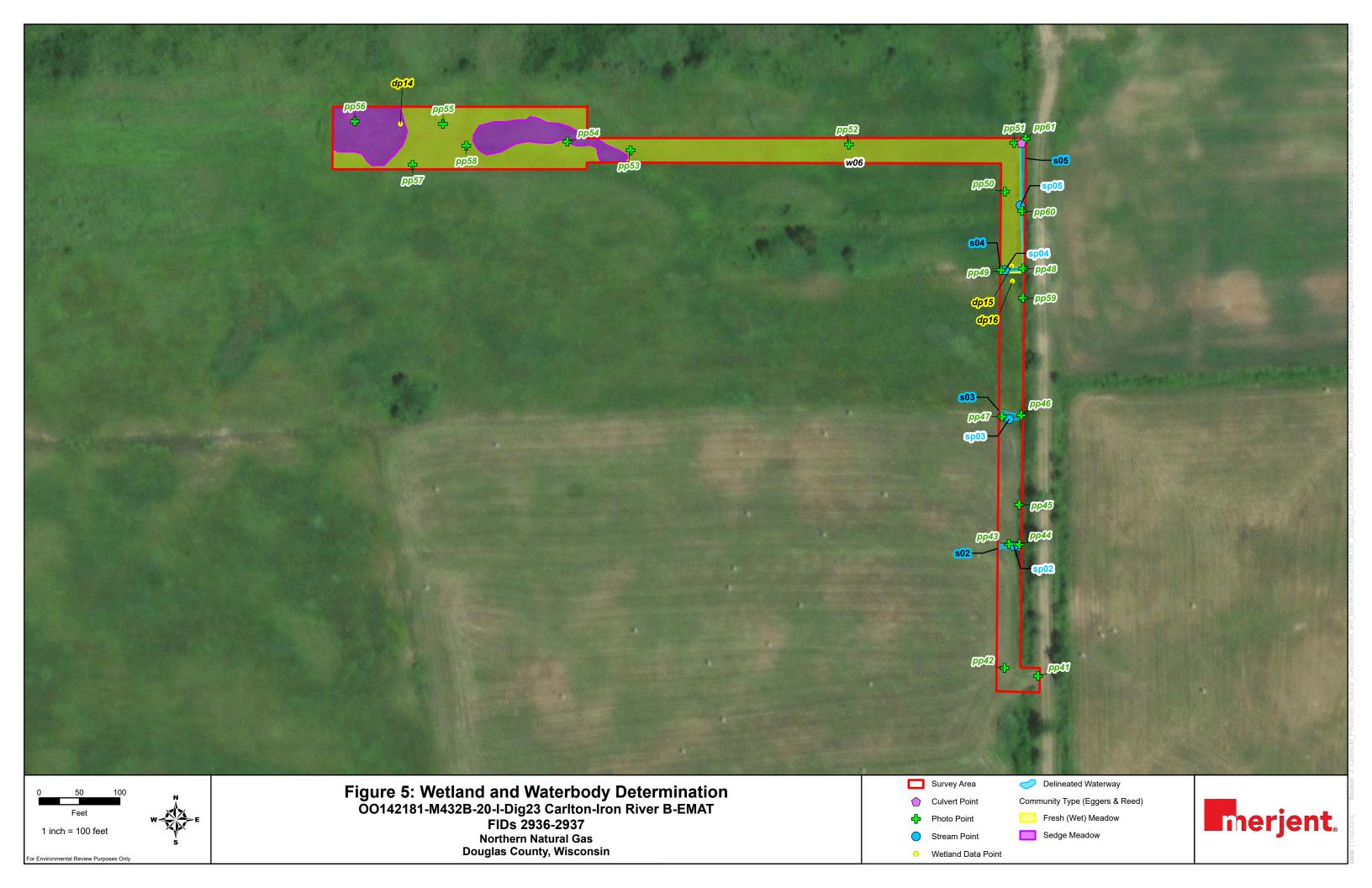






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Figures



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