



**US Army Corps  
of Engineers**  
St Paul District

**APPLICANT:**

Enbridge Energy  
c/o Doug Casina  
11 E. Superior Street, Suite 125  
Duluth, MN, 55802

# Public Notice

**ISSUED: April 4, 2024**

**EXPIRES: April 18, 2024**

**REFER TO:** MVP-2024-00331-DDP

**SECTION: 404 - Clean Water Act**

1. APPLICATION FOR PERMIT TO temporarily discharge fill material into wetlands totaling 1.03 acres to establish a work area and conduct valve maintenance on an existing pipeline.
2. SPECIFIC INFORMATION:

AGENT

Amy Wolcott  
Barr Engineering Co.  
325 South Lake Avenue, Suite 500  
Duluth, MN 55802

**PROJECT LOCATION:** The project site is located in Section 7, Township 48 North., Range 12 West., Douglas County, Wisconsin. The approximate UTM coordinates are N 582670.185445, E 5167571.396716. Latitude 46.6566, Longitude -91.9195.

**DESCRIPTION OF PROJECT:** As part of its pipeline integrity program, Enbridge plans to conduct maintenance at an existing valve station located on Line 5 at Milepost 1105.98. This work is planned for the summer/fall of 2024 and is expected to be completed within 45 to 60 days depending on site conditions at the time of construction.

**QUANTITY, TYPE, AND AREA OF FILL:** The regulated activities associated with the project described above include the temporary discharge of fill material into 1.01 acres of wetland for the placement of construction matting and the temporary discharge of dredged and fill material into 0.02 acre of wetland for excavation/backfill. 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:** The wetland areas proposed to be impacted are partially within an existing utility right-of-way. Preparation of the temporary workspace would require removal of 0.33 acre of woody vegetation north of the existing valve station. Woody vegetation would be cut at the ground surface level to leave the root structure in place for soil stabilization and revegetation following 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 site is partially located within an existing pipeline right-of-way (ROW) consisting of herbaceous uplands and wetlands identified by the Wisconsin Wetland Inventory (WWI). A portion of the project footprint extends north of Enbridge's easement and is located within forested wetlands. Surrounding land use consists predominantly of forested wetland habitat located on both sides of Enbridge's ROW.

**DESCRIPTION OF EXCAVATION:** It is estimated that the size of the excavation would be up to 60-80' long, 30-40' wide, and 10' deep. 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 pre-existing 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 contaminants.

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

None were identified by the applicant or are known to exist in the permit area. However, The USFWS Official Species List of Federally listed threatened or endangered species was generated through IPAC on March 26, 2024 (FWS Project Code: 2024-0035354). The following species are said to reside in Douglas County, Wisconsin:

#### MAMMALS

NAME	STATUS
<p>Canada Lynx <i>Lynx canadensis</i>                      Population: Wherever Found in Contiguous U.S.                      There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.                      Species profile: <a href="https://ecos.fws.gov/ecp/species/3652">https://ecos.fws.gov/ecp/species/3652</a></p>	Threatened
<p>Gray Wolf <i>Canis lupus</i>                      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 <b>final</b> critical habitat for this species.                      Species profile: <a href="https://ecos.fws.gov/ecp/species/4488">https://ecos.fws.gov/ecp/species/4488</a></p>	Endangered
<p>Northern Long-eared Bat <i>Myotis septentrionalis</i>                      No critical habitat has been designated for this species.                      Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a></p>	Endangered
<p>Tricolored Bat <i>Perimyotis subflavus</i>                      No critical habitat has been designated for this species.                      This species only needs to be considered under the following conditions:                     <ul style="list-style-type: none"> <li>This species only needs to be considered if the project includes wind turbine operations.</li> </ul>                     Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a></p>	Proposed Endangered

## BIRDS

NAME	STATUS
Rufa Red Knot <i>Calidris canutus rufa</i> There is <b>proposed</b> critical habitat for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened

## INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## FLOWERING PLANTS

NAME	STATUS
Fassett's Locoweed <i>Oxytropis campestris var. chartacea</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/209">https://ecos.fws.gov/ecp/species/209</a>	Threatened

## CRITICAL HABITATS

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

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning 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 (WDNR). A Department of the Army permit will not be granted until the WDNR 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](mailto: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.

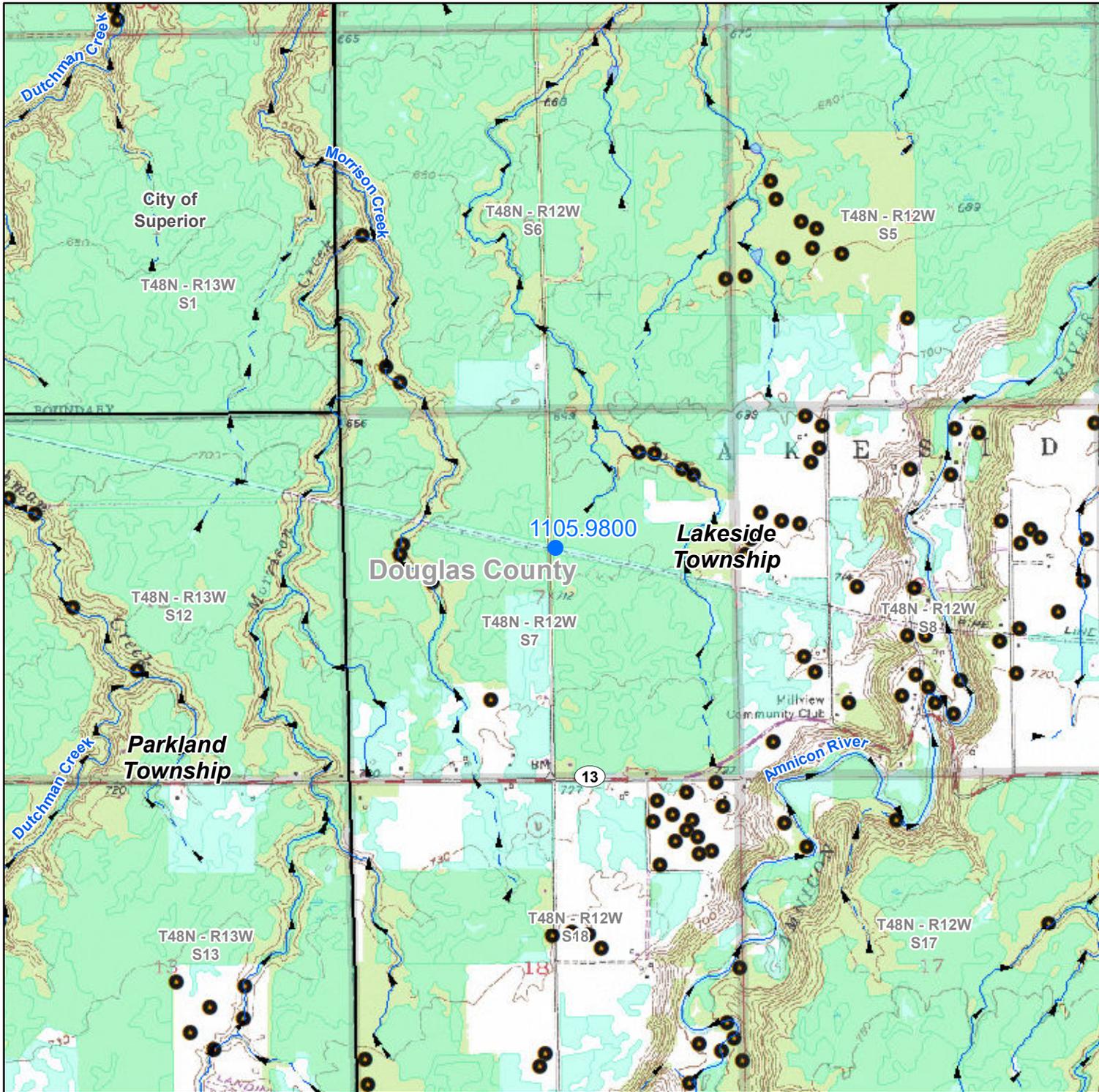
Regulatory Division (File No. MVP-2024-00331-DDP)

Replies may be sent to David Palme at the U.S. Army Corps of Engineers,  
[David.D.Palme@usace.army.mil](mailto:David.D.Palme@usace.army.mil).

IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact David D Palme at the Stevens Point office at (715) 243-9759 or [David.D.Palme@usace.army.mil](mailto: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: 2024-00331-DDP PN Figures



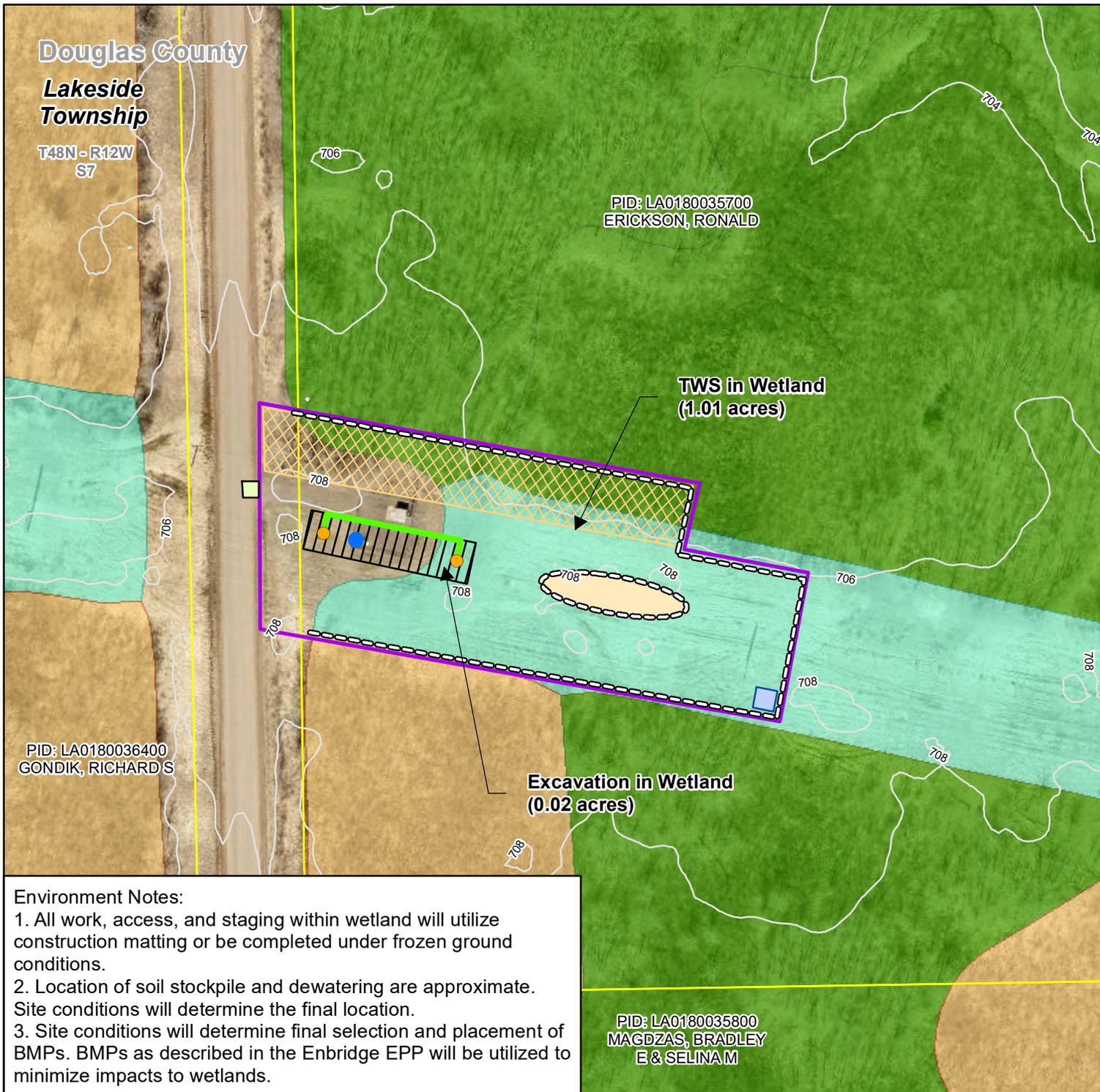
- Maintenance Location
- ▶ Flow Direction
- Perennial Stream
- - - Intermittent Stream
- Waterbody
- Wetlands**
- Wisconsin Wetland Inventory
- Wetland too small to delineate



Feet  
1 Inch = 2,000 Feet

**FIGURE 1**  
**EXCAVATION SITE**  
**LOCATION**  
Line 5  
Milepost 1105.98





- Valve Replacement
- Stopple Valve
- Temporary Bypass Piping
- Suggested Sediment Control BMPs
- 2 Foot Contours
- Access Route
- Excavation Extent (120' x 30')
- Soil Stockpile
- Suggested Dewatering Location
- Temporary Workspace (1.39 acres)
- Tree Removal
- Parcel Boundary
- Wisconsin Wetland Inventory
  - Emergent/wet meadow
  - Forested
  - Scrub/shrub



Feet  
1 Inch = 100 Feet

**ACCESS PLAN**  
Line 5  
Milepost 1105.98



**Environment Notes:**

1. All work, access, and staging within wetland will utilize construction matting or be completed under frozen ground conditions.
2. Location of soil stockpile and dewatering are approximate. Site conditions will determine the final location.
3. Site conditions will determine final selection and placement of BMPs. BMPs as described in the Enbridge EPP will be utilized to minimize impacts to wetlands.