



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

Public Notice

ISSUED: 20 May 2024

EXPIRES: 5 July 2024

NOTICE OF AVAILABILITY OF DRAFT COMBINED DECISION DOCUMENT

Authorities:
Section 404 Clean Water Act and
Section 10 Rivers and Harbors Act

NOTICE OF AVAILABILITY OF DRAFT COMBINED DECISION DOCUMENT FOR THE ENBRIDGE ENERGY WISCONSIN LINE 5 RELOCATION PROPOSAL

Notice:

The United States Army Corps of Engineers, St Paul District Regulatory Division (Corps) has published a Draft Environmental Assessment, Draft Section 404(b)(1) Guidelines Evaluation, and Draft Public Interest Review, hereafter referred to as the Draft Combined Decision Document (DCDD), for a 45-day public comment period. The public comment period will extend through 5 July 2024. The DCDD and additional information is available at https://www.mvp.usace.army.mil/Enbridge_Line5-WI/.

The Corps is evaluating Enbridge's permit application pursuant to the Corps' statutory authorities, which include:

Section 404 of the Clean Water Act – for the proposed trenching and backfilling of pipeline and associated infrastructure that would result in discharges of dredged and fill material in waters of the U.S., including wetlands.

Section 10 of the Rivers and Harbors Act of 1899 – for the proposed horizontal directional drilling and installation of pipeline under the White River, a navigable water of the U.S.

Under the authorities listed above, the Corps does not regulate the overall construction or operation of pipelines, nor does it regulate the siting of any type of pipeline, or any substance being transported within a pipeline.

Background:

The existing Enbridge Line 5 pipeline is a 645 mile long, 30-inch diameter crude oil/natural gas liquid pipeline that has been operational since 1953. It originates at Enbridge's Superior Terminal in Superior, Wisconsin, continues through northern Wisconsin and the Upper and Lower Peninsulas of Michigan, and terminates near Sarnia, Canada. In Wisconsin, the existing Line 5 pipeline crosses Douglas, Bayfield, Ashland and Iron counties. Within Ashland County, the existing Line 5 pipeline crosses through 12 miles of the Bad River Reservation. In 2019, the Bad River Band of the Lake Superior Tribe of Chippewa Indians filed a federal lawsuit to require Enbridge to remove the 12 miles of pipeline from their reservation.

Enbridge developed the proposed Line 5 Wisconsin segment relocation project to reroute the existing Line 5 pipeline around the external boundaries of the Bad River Reservation while still maintaining current deliveries of oil and natural gas liquids. The proposed project would replace approximately 20 miles of the existing Line 5 pipeline, including approximately 12 miles of pipeline within the Bad River Reservation, with 41 miles of a new 30-inch diameter pipeline segment that would be located entirely outside the boundaries of the Bad River Reservation.

Submitting Comments:

The Corps invites comments to inform decision-making and any recommended measures that may result in less environmental damages or adverse effects on the human environment.

There are several ways to provide the Corps comments. All written and verbal comments received will be considered.

1. Written comments may be submitted at any time to CEMVP-WI5R-CDD-Comments@usace.army.mil before the expiration date of the DCDD comment period.
2. Verbal comments may be provided during the Corps public hearing set to occur on June 4, 2024, at the Northwood Technical College, located at 2100 Beaser Avenue, Ashland, WI 54806 from 11 a.m. - 3 p.m. and 4 p.m. - 8 p.m. CST. Please visit our website at https://www.mvp.usace.army.mil/Enbridge_Line5-WI/ for additional information regarding this hearing.
3. If you are unable to submit comments via email or participate in the hearing, you may send your written comments with a postmarked date no later than July 5, 2024, to the following address:

U.S. Army Corps of Engineers
St. Paul District, Regulatory Division
332 Minnesota Street, Suite E1500
St. Paul, MN 55101-1678

If you have any questions concerning this Public Notice, please email the address shown above, or contact the Corps by phone at (651) 290-5525. Please note that comments will not be accepted via phone or voicemail.

Please note that all comments, including names and addresses, become part of the administrative record, and may be available to the public under provisions of the Freedom of Information Act.

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