



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

**APPLICANT:**

Sarah Schwartz  
Xcel Energy  
1414 W. Hamilton Ave.  
P.O. Box 8  
Eau Claire, WI 54701

# Public Notice

**ISSUED: 15 July 2024**  
**EXPIRES: 30 July 2024**

**REFER TO:**

MVP-2024-00302-JMB

**SECTION: 404 - Clean Water Act**

1. APPLICATION FOR PERMIT TO discharge fill material into 6.87 acres of wetlands during construction of the W3351/W3353 Saxon Pump Transmission Line Rebuild Project.

2. SPECIFIC INFORMATION

AGENT

Zachary Waechter  
Merjent, Inc.  
N3764 Uni Drive  
Freedom, WI 54130

**PROJECT LOCATION:** The project site is located in portions of Section 1 and 2, Township 46 North, Range 1 East; Section 5, 6, 8, 9, 10, 15, 22, and 23, Township 46 North, Range 2 East; and Section 35, Township 47 North, Range 1 East, Iron County, Wisconsin.

**DESCRIPTION OF PROJECT:** Xcel Energy is requesting authorization to rebuild the existing W3351 88 kilovolt (kV)/W3353 34.5 kV Saxon Pump transmission line. The Project is needed as the existing lines are nearing the end of their lifespan. The overall Project is approximately 8.2 miles long. The rebuild will occur both within the existing ROW corridor and within new ROW corridor as new alignment. Approximately 6.6 miles will be rebuilt within the existing ROW corridor and will require expansion of the ROW to 100 feet in width. Approximately 1.6 miles will be rebuilt in new alignment within a new ROW corridor 50 feet in width. One temporary staging area, adjacent to the existing Saxon pump facility, is also proposed.

**QUANTITY, TYPE, AND AREA OF FILL:** The overall project would result in the temporary discharge of fill material into 6.81 acres of wetland needed for the placement of construction matting, and the permanent discharge of fill material into 0.07 acres of wetland needed for the replacement, installation, and removal of pole structures. The Project would also result in 7.89 acres of permanent forested wetland conversion to herbaceous plant community.

**VEGETATION IN AFFECTED AREA:** The project area consists mainly of previously cleared ROW which is dominated by a mixture of native upland and wetland herbaceous plant species. A total of 7.89 acres of wetland conversion is needed to complete ROW expansion (6.6 miles) and establishment of the new ROW corridor (1.6 miles).

**SURROUNDING LAND USE:** The project site is located northwest of the City of Hurley, WI; the rebuild will occur both within existing ROW corridor and within new ROW corridor as new alignment. Surrounding land use is dominated by undeveloped forest land.

**THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE:** Fuel, hydraulic fluid, lubricants, coolant, and other fluids commonly used by construction equipment would be expected to be present for construction of the project.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Wetland impacts would be minimized to the extent practicable by use of temporary construction matting, installation of erosion and sediment controls, use of equipment adapted to the purpose (including tracked and/or low ground pressure equipment), and appropriate project timing and/or work during frozen ground conditions when possible. All proposed forested wetland conversion would be limited to clearing vegetation flush with the ground surface (no grubbing or stump removal).

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

*A Wetland Matting Restoration Plan* is proposed for the entirety of the route where matting is proposed within wetlands. The plan includes restoration criteria, revegetation criteria, performance standards and reporting to USACE following restoration activities.

### 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, Iron County is within the known or historic range of the following Federally listed species:

Gray wolf – Endangered. Habitat: Northern forested areas.

Canada Lynx – Threatened. Habitat: A dense growth of trees and underbrush covering a large tract. There is final critical habitat for this species. The project location does not overlap the critical habitat.

Northern long-eared bat – Endangered. Habitat: Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.

Tricolored bat – Proposed Endangered. Habitat: Often found in caves and abandoned mines.

Monarch butterfly – Candidate. Habitat: Mainly found in prairies, meadows, grasslands and along roadsides; among milkweed and/or flowing plants.

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 at <http://coastal.wisconsin.gov> or via email at [coastal@wisconsin.gov](mailto: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 Jonathan Bakken at [Jonathan.m.bakken@usace.army.mil](mailto:Jonathan.m.bakken@usace.army.mil).

IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact Jonathan Bakken at the Hayward office at 651-290-5884 or [Jonathan.m.bakken@usace.army.mil](mailto:Jonathan.m.bakken@usace.army.mil).

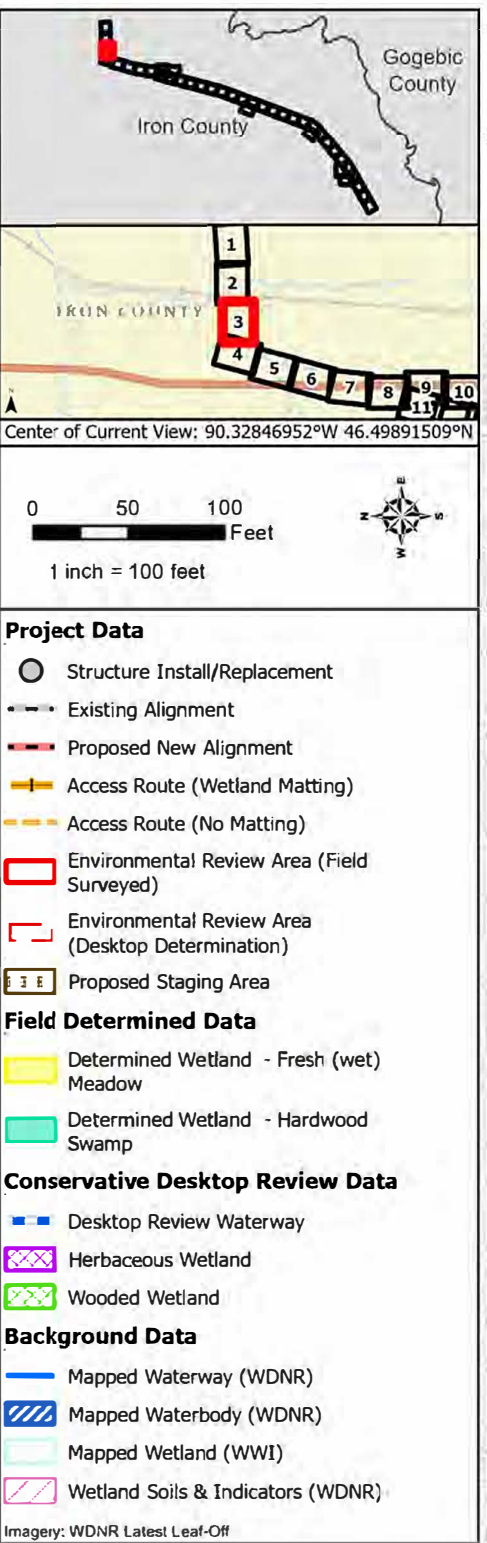
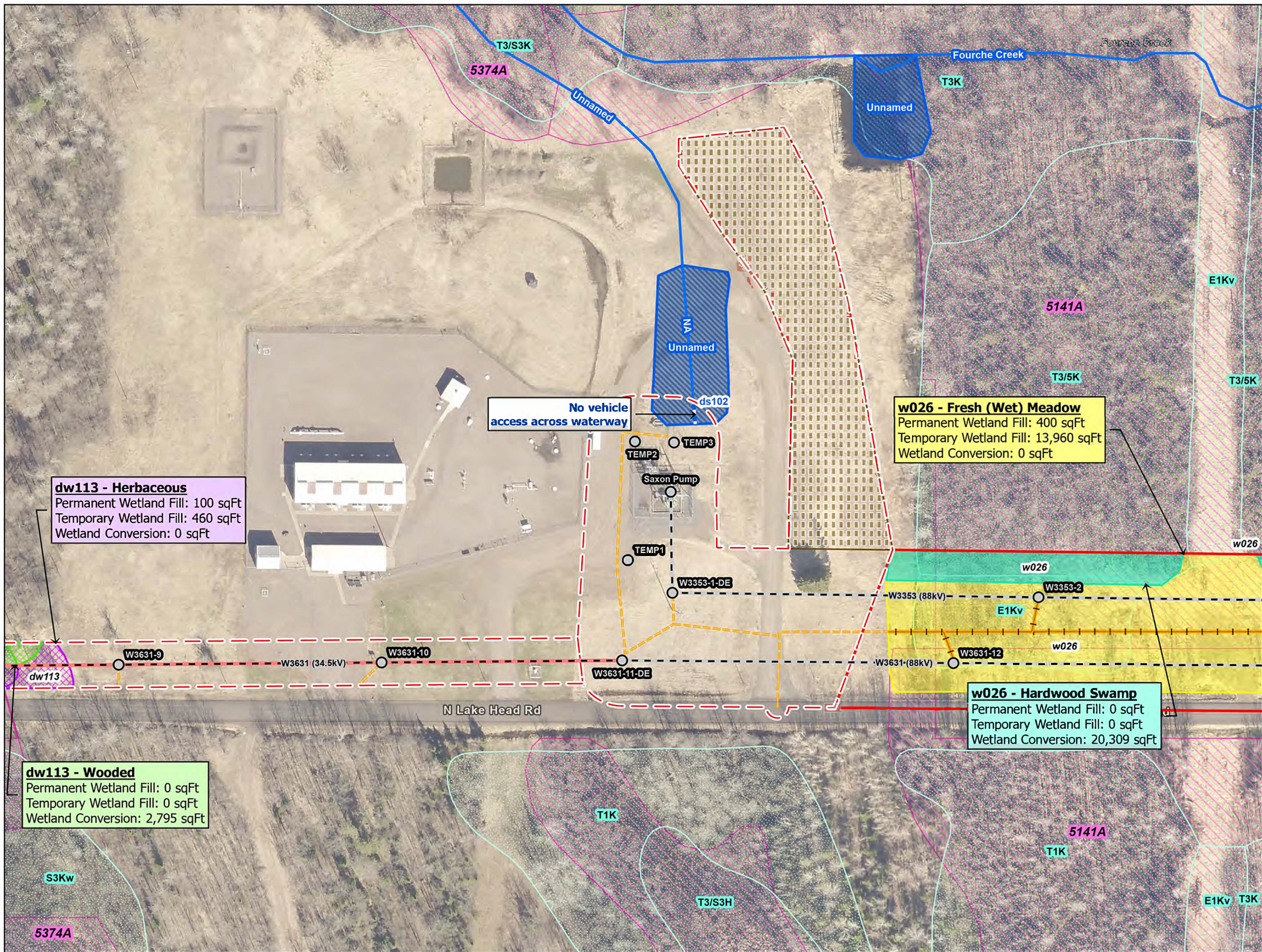
To receive Public Notice notifications, go to: <https://www.mvp.usace.army.mil/Contact/RSS/> and subscribe to the RSS Feed for which you would like to receive Public Notices.

Enclosures: Project Figures labeled MVP-2024-00302-JMB Page 1 of 11 through 11 of 11. Not all figures have been included due to size limitations. Additional figures are available upon request.



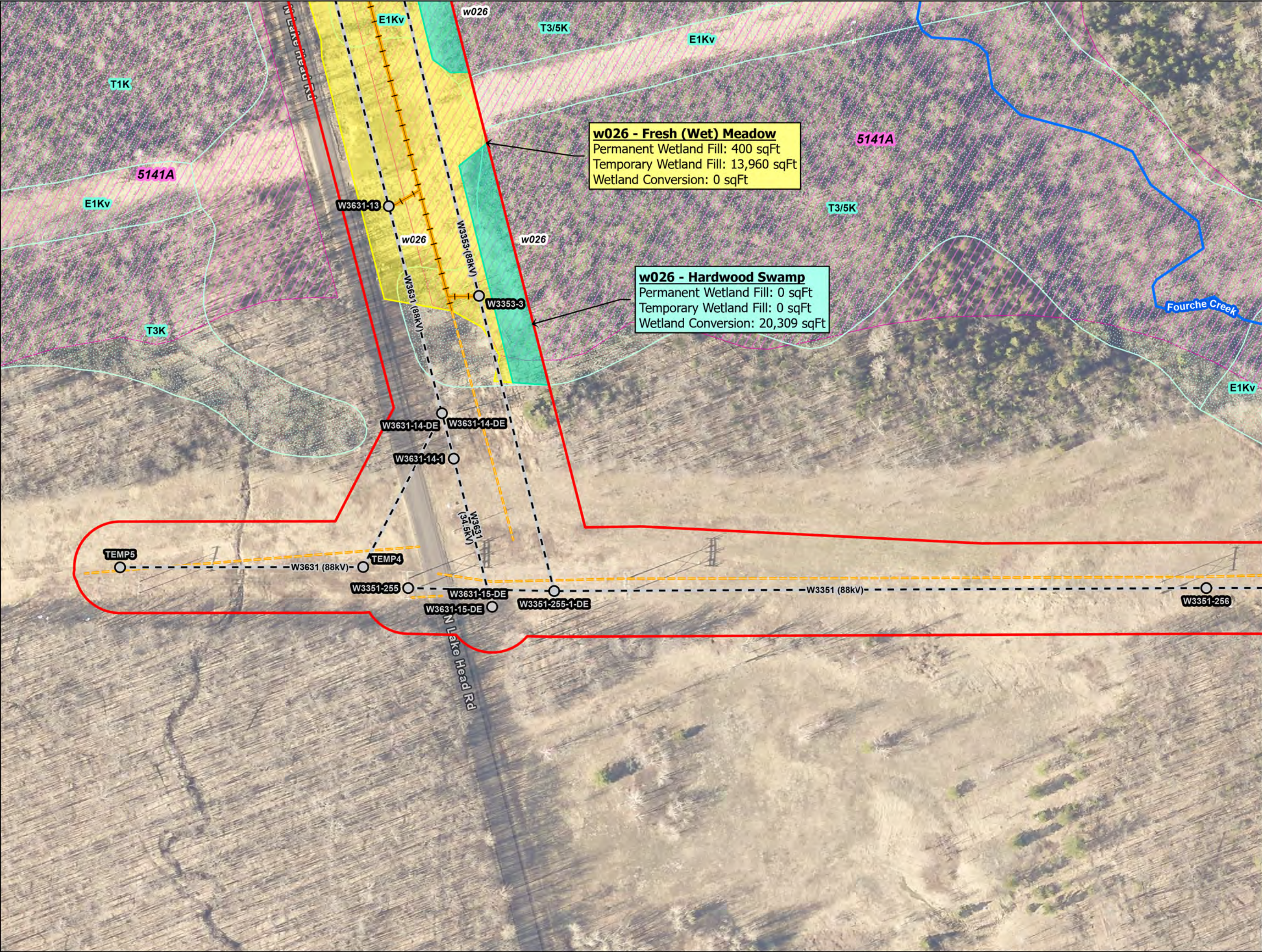




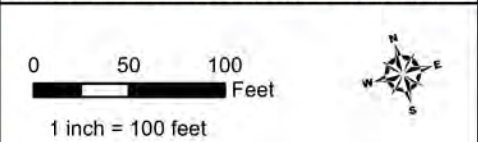


**Figure 2:**  
**Environmental Data Map**  
**Xcel Energy**  
**W3351/W3353 Saxon Pump**  
**Transmission Line Rebuild**  
**Iron County, Wisconsin**





Center of Current View: 90.32855007°W 46.49596405°N



**Project Data**

- Structure Install/Replacement
- Existing Alignment
- Proposed New Alignment
- Access Route (Wetland Matting)
- Access Route (No Matting)
- Environmental Review Area (Field Surveyed)

**Field Determined Data**

- Determined Wetland - Fresh (wet) Meadow
- Determined Wetland - Hardwood Swamp

**Conservative Desktop Review Data**

**Background Data**

- Mapped Waterway (WDNR)
- Mapped Wetland (WWI)
- Wetland Soils & Indicators (WDNR)

Imagery: WDNR Latest Leaf-Off

**Figure 2:**  
**Environmental Data Map**  
Xcel Energy  
W3351/W3353 Saxon Pump  
Transmission Line Rebuild  
Iron County, Wisconsin

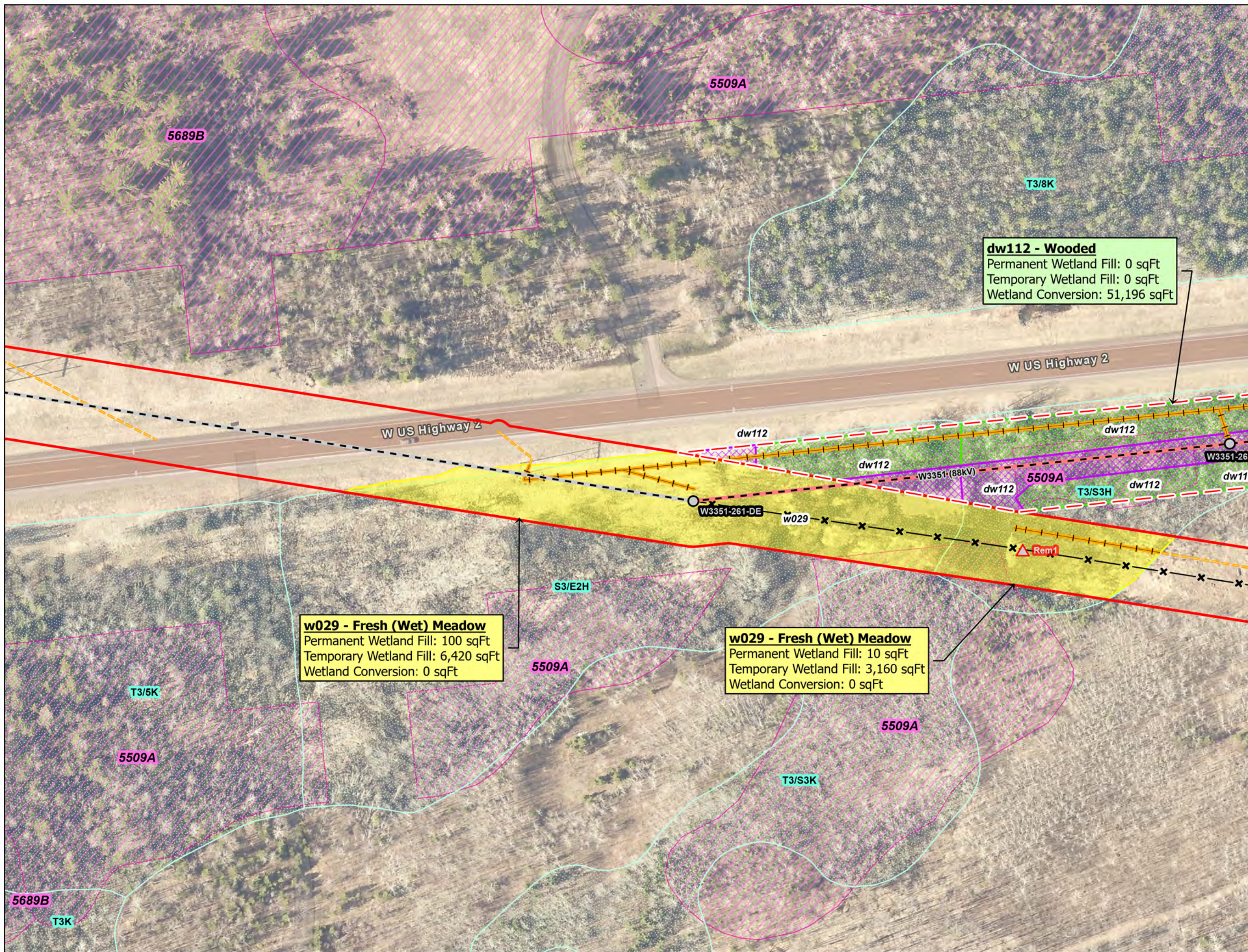
Page 4 of 39



For Environmental Review Purposes Only

6/7/2024





Iron County

Gogebic County

IRON COUNTY

Center of Current View: 90.31362887°W 46.49294713°N

0 50 100 Feet

1 inch = 100 feet

**Project Data**

- △ Structure Removal
- Structure Install/Replacement
- Existing Alignment
- Proposed New Alignment
- Removal Segment
- Access Route (Wetland Matting)
- Access Route (No Matting)
- Environmental Review Area (Field Surveyed)
- Environmental Review Area (Desktop Determination)

**Field Determined Data**

- Determined Wetland - Fresh (wet) Meadow

**Conservative Desktop Review Data**

- Herbaceous Wetland
- Wooded Wetland

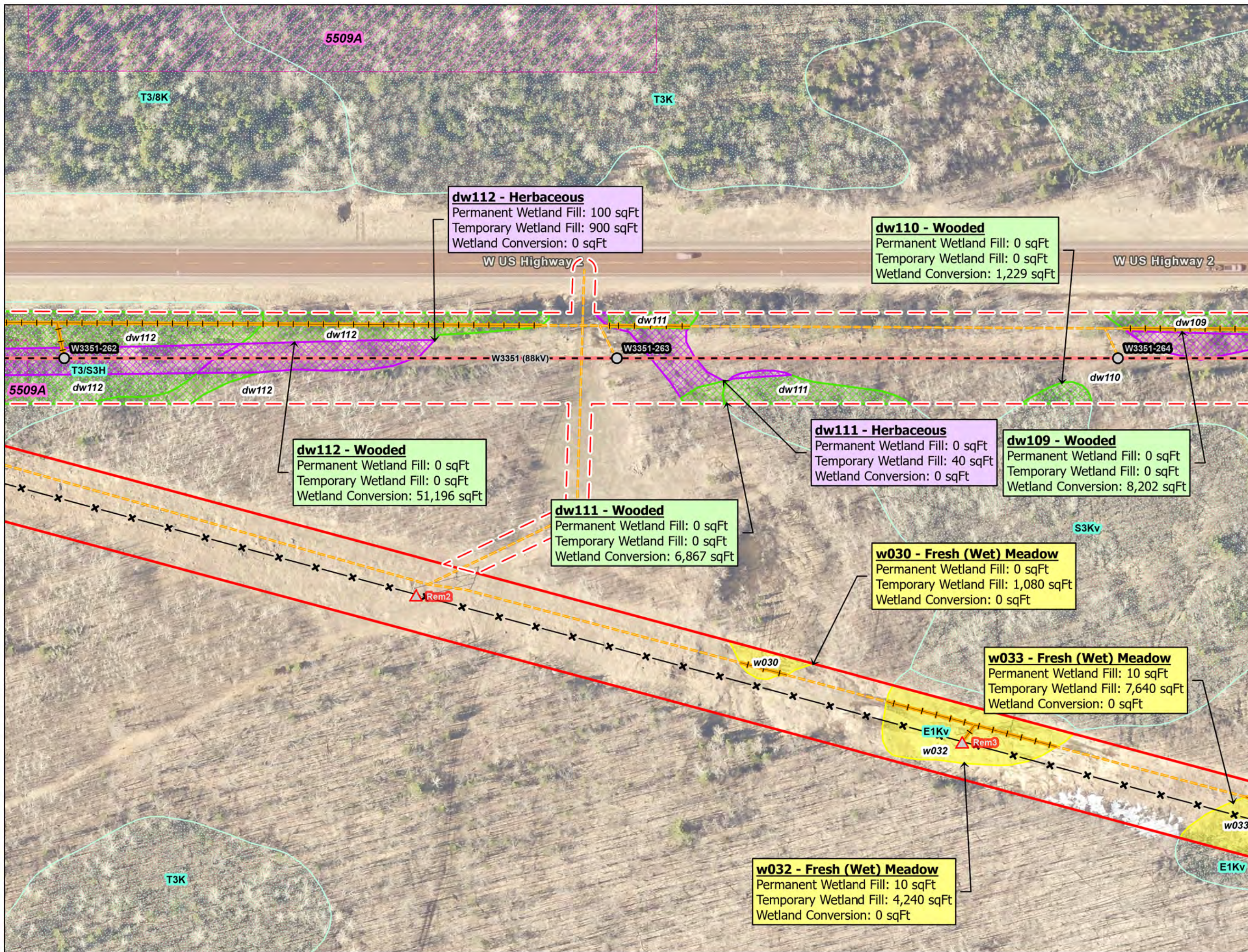
**Background Data**

- Mapped Wetland (WWI)
- Wetland Soils & Indicators (WDNR)

Imagery: WDNR Latest Leaf-Off

**Figure 2:**  
**Environmental Data Map**  
Xcel Energy  
W3351/W3353 Saxon Pump  
Transmission Line Rebuild  
Iron County, Wisconsin





Iron County  
Gogebic County

0 50 100 Feet  
1 inch = 100 feet

**Project Data**

- △ Structure Removal
- Structure Install/Replacement
- - - Existing Alignment
- - - Proposed New Alignment
- x- Removal Segment
- Access Route (Wetland Matting)
- - - Access Route (No Matting)
- Environmental Review Area (Field Surveyed)
- - - Environmental Review Area (Desktop Determination)

**Field Determined Data**

- Determined Wetland - Fresh (wet) Meadow

**Conservative Desktop Review Data**

- Herbaceous Wetland
- Wooded Wetland

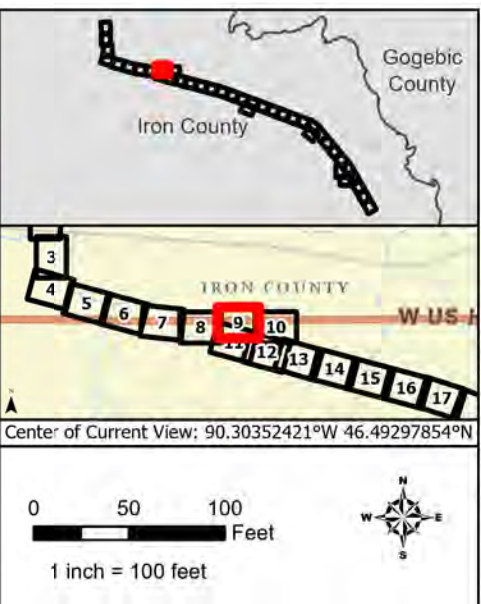
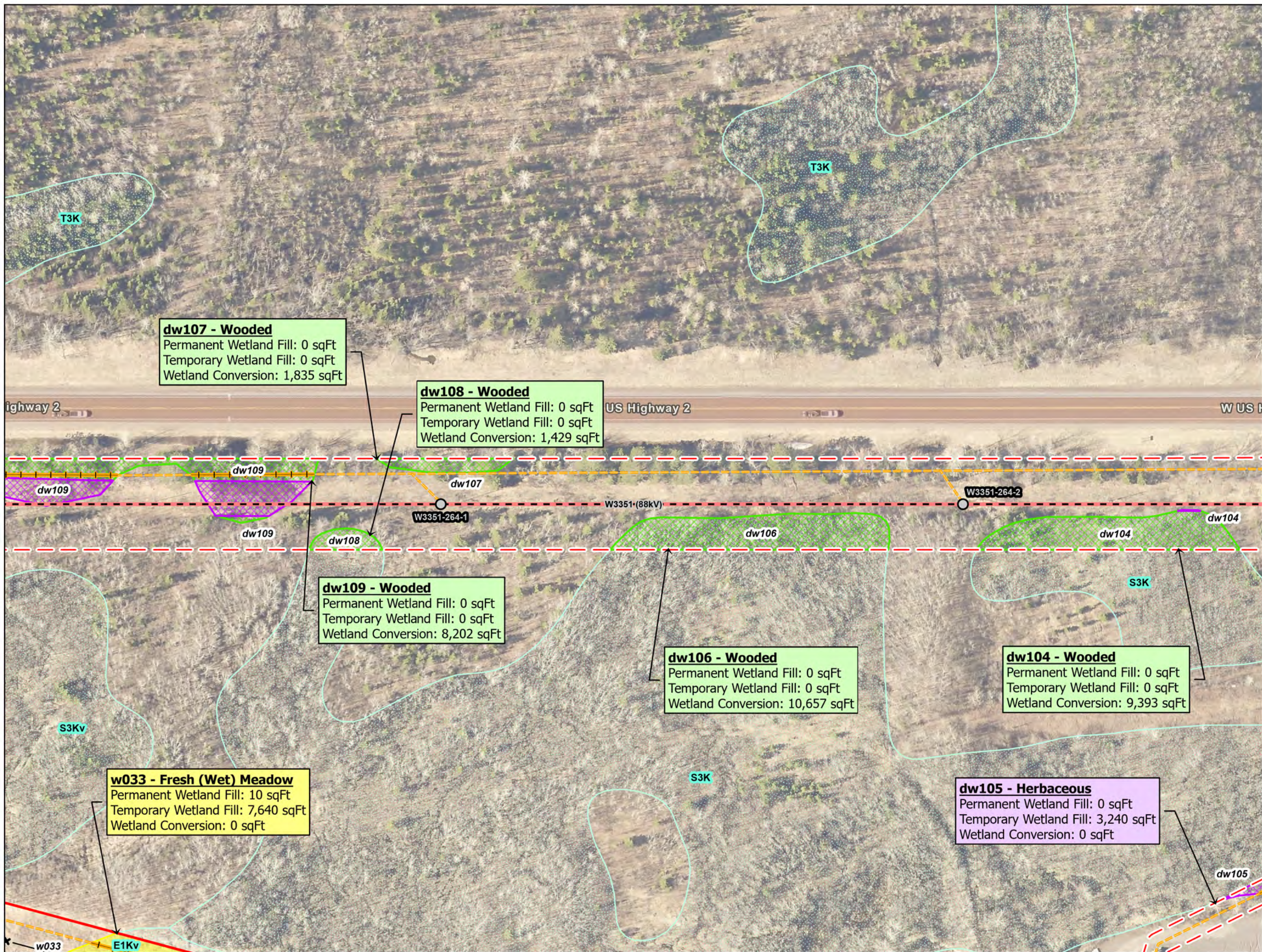
**Background Data**

- Mapped Wetland (WWI)
- Wetland Soils & Indicators (WDNR)

Imagery: WDNR Latest Leaf-Off

**Figure 2:**  
**Environmental Data Map**  
Xcel Energy  
W3351/W3353 Saxon Pump  
Transmission Line Rebuild  
Iron County, Wisconsin





**Project Data**

- Structure Install/Replacement
- Existing Alignment
- Proposed New Alignment
- Removal Segment
- Access Route (Wetland Matting)
- Access Route (No Matting)
- Environmental Review Area (Field Surveyed)
- Environmental Review Area (Desktop Determination)

**Field Determined Data**

- Determined Wetland - Fresh (wet) Meadow

**Conservative Desktop Review Data**

- Herbaceous Wetland
- Wooded Wetland

**Background Data**

- Mapped Wetland (WWI)

Imagery: WDNR Latest Leaf-Off

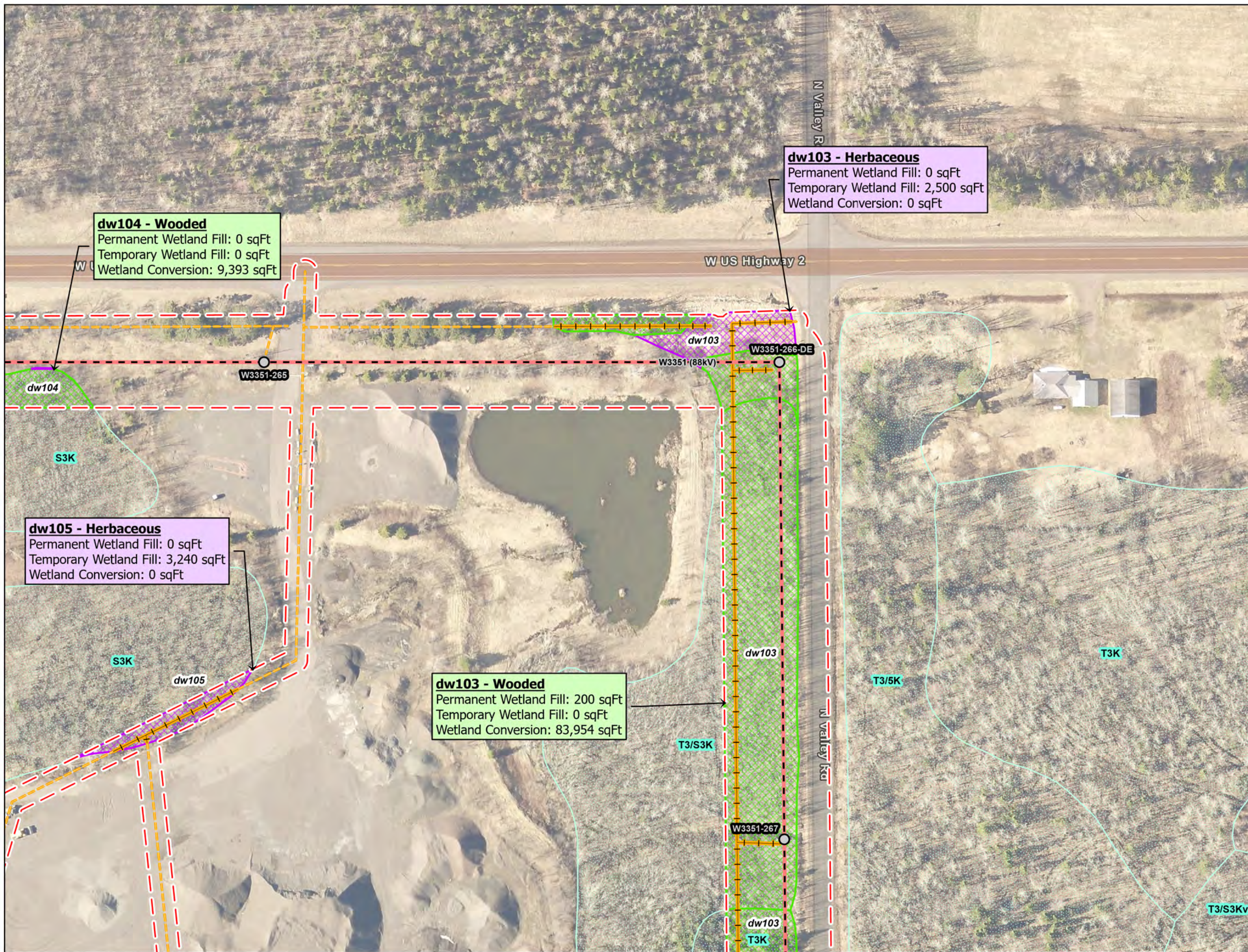
**Figure 2:**  
**Environmental Data Map**  
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W3351/W3353 Saxon Pump  
Transmission Line Rebuild  
Iron County, Wisconsin

Page 9 of 39

**Xcel Energy**

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Iron County

Gogebic County

IRON COUNTY

W US Highway

Center of Current View: 90.29852727°W 46.49257101°N

0 50 100 Feet

1 inch = 100 feet

**Project Data**

- Structure Install/Replacement
- Existing Alignment
- Proposed New Alignment
- Access Route (Wetland Matting)
- Access Route (No Matting)
- Environmental Review Area (Desktop Determination)

**Field Determined Data**

**Conservative Desktop Review Data**

- Herbaceous Wetland
- Wooded Wetland

**Background Data**

- Mapped Wetland (WWI)

Imagery: WDNR Latest Leaf-Off

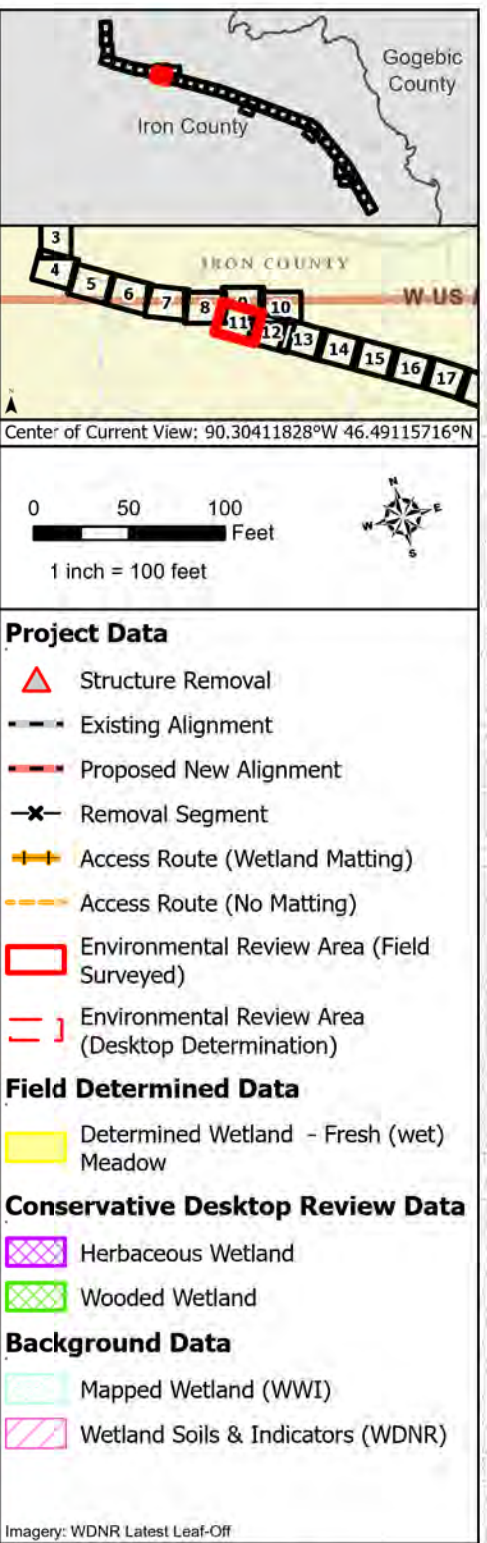
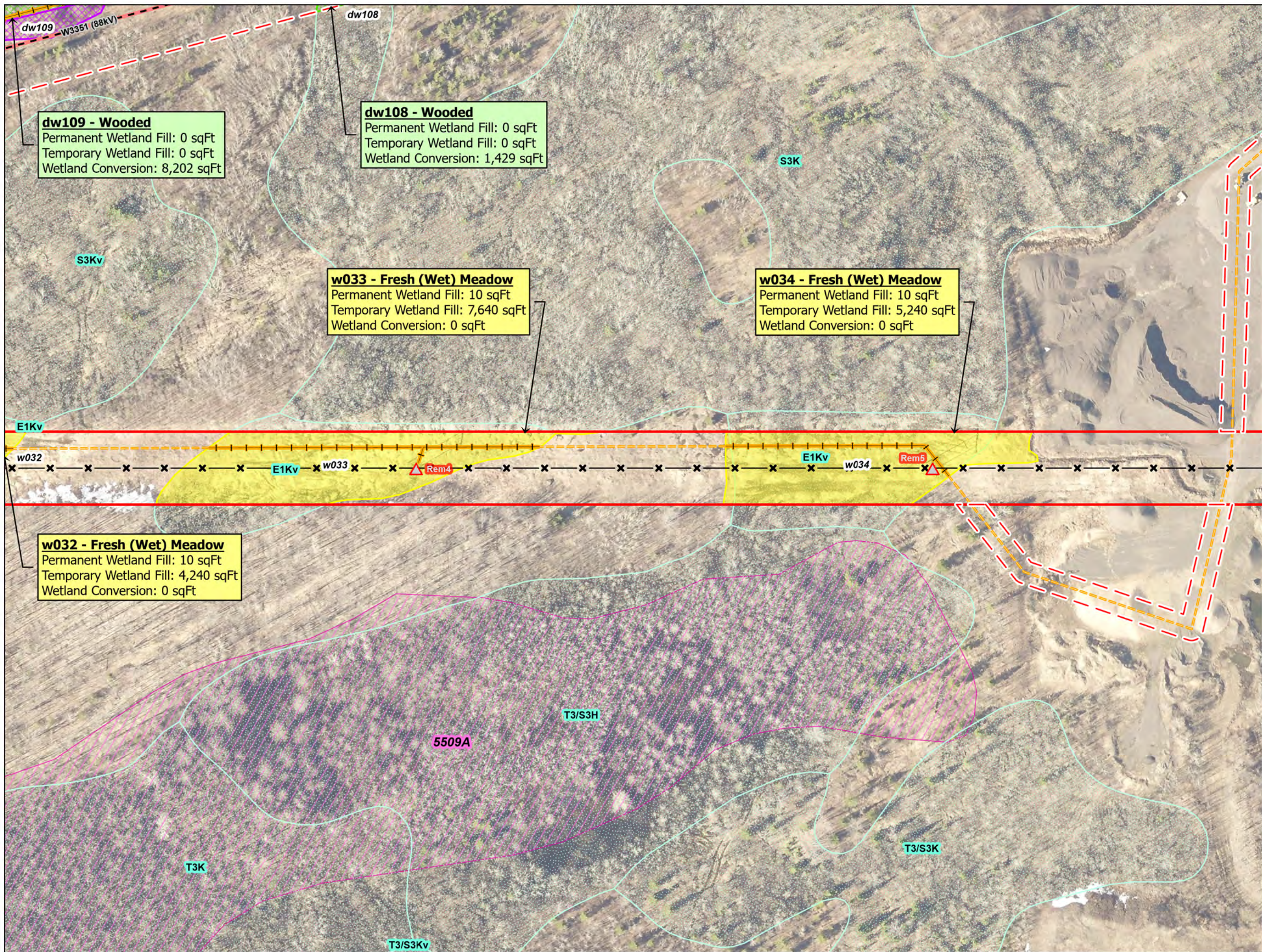
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Page 10 of 39

**Xcel Energy**

For Environmental Review Purposes Only 6/7/2024

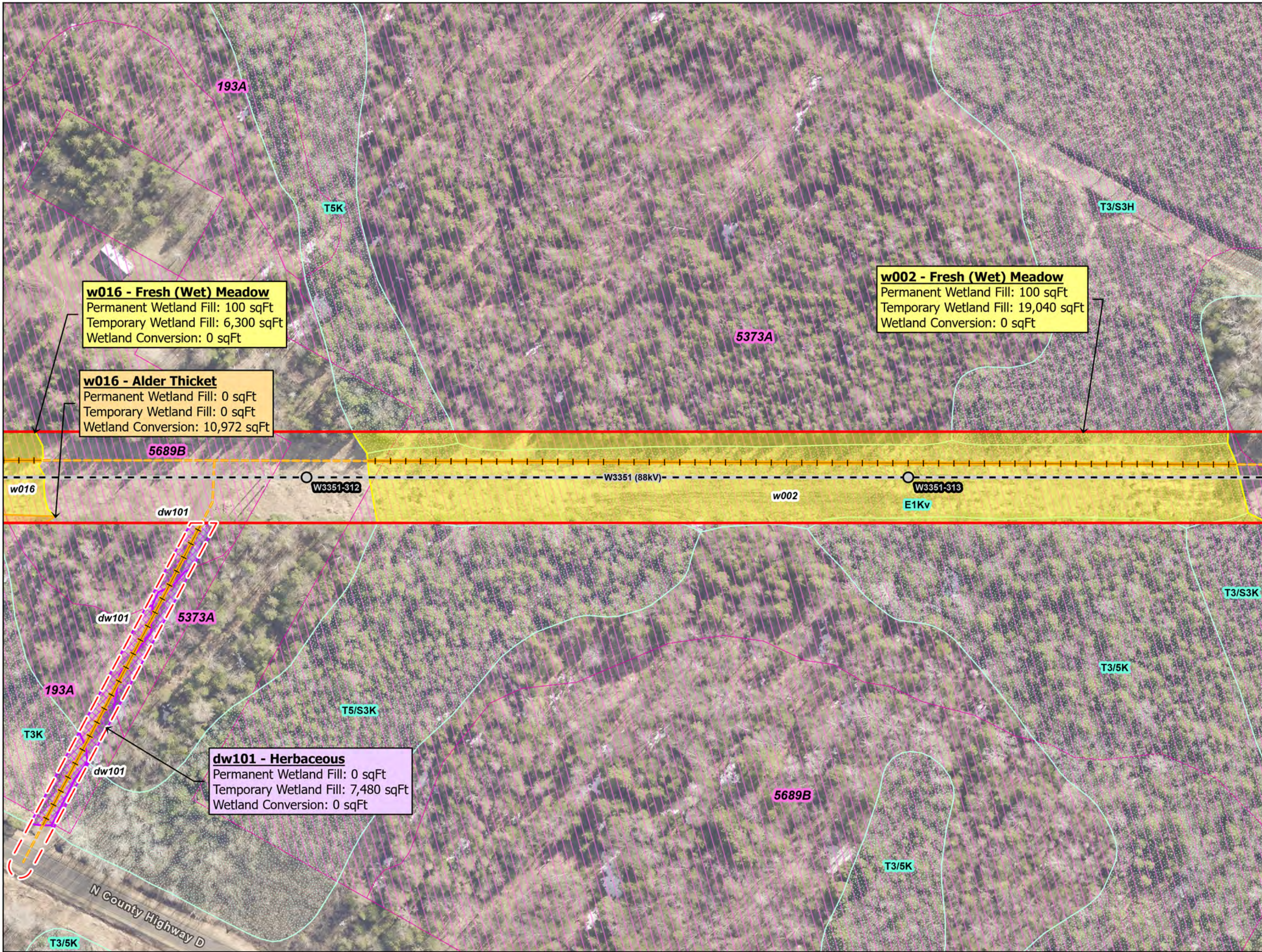




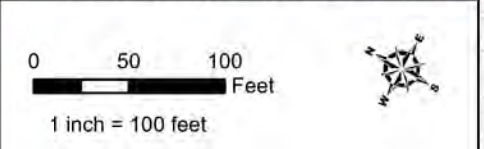








Center of Current View: 90.21192367°W 46.45332825°N



#### Project Data

- Structure Install/Replacement
- Existing Alignment
- Proposed New Alignment
- Access Route (Wetland Matting)
- Access Route (No Matting)
- Environmental Review Area (Field Surveyed)
- Environmental Review Area (Desktop Determination)

#### Field Determined Data

- Determined Wetland - Alder Thicket
- Determined Wetland - Fresh (wet) Meadow

#### Conservative Desktop Review Data

- Herbaceous Wetland

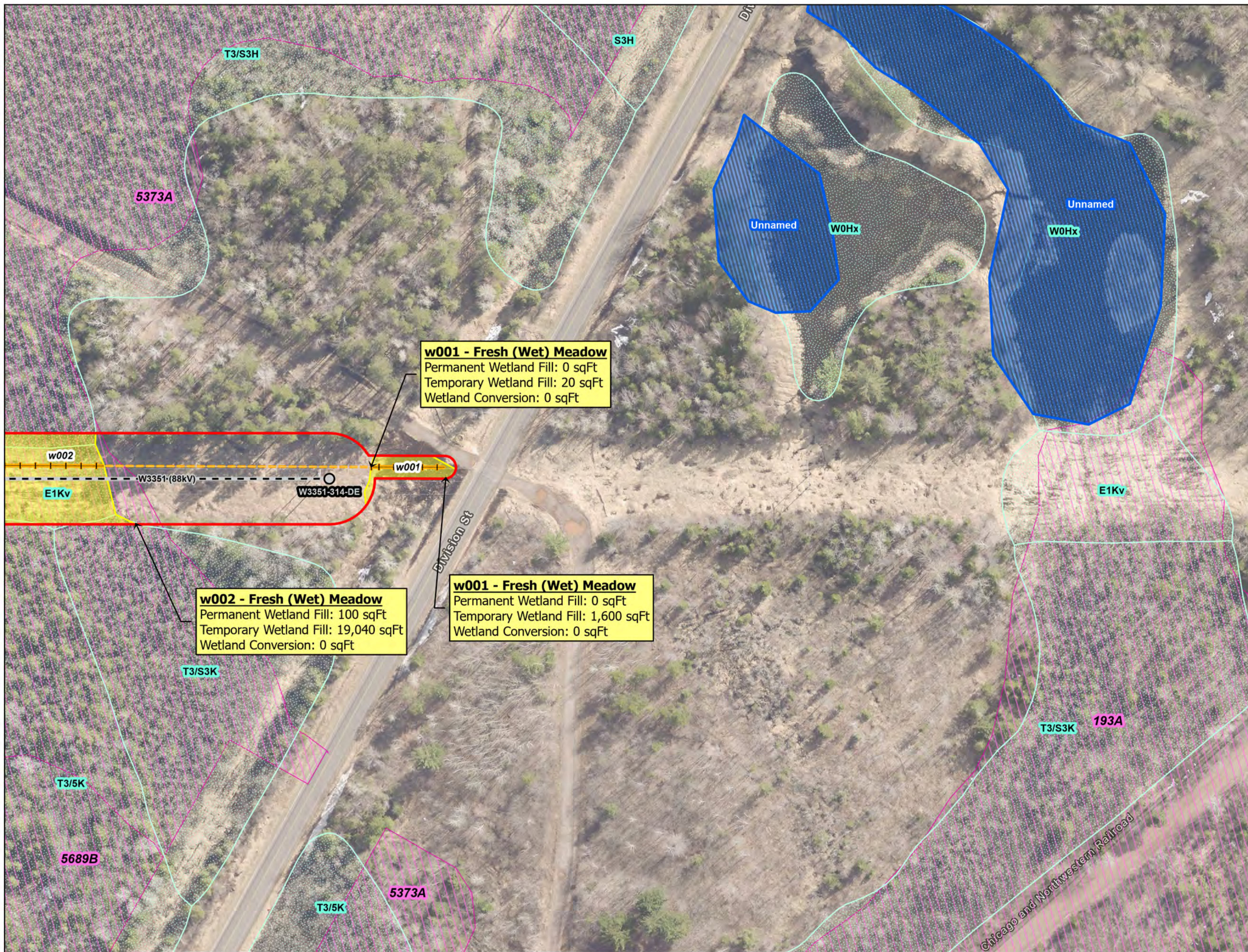
#### Background Data

- Mapped Wetland (WWI)
- Wetland Soils & Indicators (WDNR)

Imagery: WDNR Latest Leaf-Off

### Figure 2: Environmental Data Map Xcel Energy W3351/W3353 Saxon Pump Transmission Line Rebuild Iron County, Wisconsin





Center of Current View: 90.20948576°W 46.45036721°N

0 50 100 Feet  
1 inch = 100 feet

**Project Data**

- Structure Install/Replacement
- Existing Alignment
- Proposed New Alignment
- Access Route (Wetland Matting)
- Access Route (No Matting)
- Environmental Review Area (Field Surveyed)

**Field Determined Data**

- Determined Wetland - Fresh (wet) Meadow

**Conservative Desktop Review Data**

**Background Data**

- ▨ Mapped Waterbody (WDNR)
- ▨ Mapped Wetland (WWI)
- ▨ Wetland Soils & Indicators (WDNR)

Imagery: WDNR Latest Leaf-Off

**Figure 2:  
Environmental Data Map**  
Xcel Energy  
W3351/W3353 Saxon Pump  
Transmission Line Rebuild  
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Page 39 of 39

**Xcel Energy**

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