



US Army Corps  
of Engineers  
St Paul District

**APPLICANT:** Northern Natural Gas

**Public Notice**

**ISSUED: October 3, 2023**

**EXPIRES: October 18, 2023**

**REFER TO:** MVP-2023-01013-DDP

**SECTION: 404 - Clean Water Act**

1. APPLICATION FOR PERMIT TO: Discharge dredged and fill material in waters of the United States for the purpose of conducting line verification digs (FID's) and maintenance on the M432B natural gas pipeline.

2. SPECIFIC INFORMATION:

AGENT:

Merjent  
c/o Monica Entinger  
1 SE Main St UNIT 300  
Minneapolis, MN 55414

PROJECT LOCATION: The applicant has requested DA authorization to discharge dredged and fill material into water of the United States associated with the visual inspection and maintenance of the M432B natural gas pipeline. The overall project would encompass 13 wetland crossings along M432B including 12 FID's and one modification to an existing valve site (AR03) as shown on the table below and figures attached.

<u>Site #</u>	<u>County</u>	<u>Coordinates</u>	<u>Section, Township &amp; Range</u>
AR03	Iron	46.486987, -90.214063	S2, 3 & 11, T46N, R2E
FID17421	Bayfield	46.556782, -91.123099	S16, T47N, R6W
FID19199-20068	Bayfield	46.555019, -91.063899	S13, T47N, R6W
FID23788-21851	Bayfield	46.563707, -90.990106	S15 & 16, T47N, R5W
FID24581-24585	Bayfield	46.556770, -90.963891	S14, T47N, R5W
FID25748-26650	Bayfield/Ashland	46.556546, -90.930792	S13, T47N, R5W & S18, T47N, R4W
FID33461	Ashland	46.554651, -90.896676	S17, T47N, R4W
FID49957	Iron	46.505551, -90.408183	S31, T47N, R1E
FID55904	Iron	46.494076, -90.251245	S4, T46N, R2E
FID56272	Iron	46.483380, -90.241696	S4, T46N, R2E
FID59227	Iron	46.486966, -90.212764	S2, T46N, R2E

DESCRIPTION: As part of its pipeline integrity program, Northern Natural Gas has conducted an in-line inspection of the M432B pipeline and identified segments that require visual inspection and possible maintenance work. Construction activities associated with the 12 FID locations include the digging of a 30-foot-wide 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. Construction activities for the AR03 location would include modifications to the existing valve

and piping, and the construction of a new building and driveway facility. All temporary wetland disturbance would be returned to pre-construction contours and stabilized per WDNR technical standards 1058 and 1059.

**QUANTITY, TYPE, AND AREA OF FILL:** Regulated activities associated with the 12 FID's described above include the temporary discharge of dredge and fill material into 38 unnamed wetlands totaling 3.11 acres to establish a 45-foot-wide work area using construction mats. Additionally, the project would result in the discharge of dredged material into four unnamed waterways totaling 120 linear feet (787 sq. ft.) following trenching and visual inspection. These impacts would be restored upon completion of the project as described above.

Regulated activities associated with the AR03 modifications described above would include the temporary discharge of fill material into one unnamed wetland totaling 0.21 acres to establish a work area with construction mats. These impacts would be restored upon completion of the project as described above. Additionally, the AR03 modifications would result in the permanent discharge of fill material into 0.07 acres of one unnamed wetland for the construction of a graveled lot and access driveway.

<b><u>Site</u></b>	<b><u>Temporary Wetland Disturbance (ac.)</u></b>	<b><u>Permanent Wetland Disturbance (ac.)</u></b>	<b><u>Stream Impacts (LF)</u></b>	<b><u>Stream Impacts (sq. ft.)</u></b>
AR03	0.21	0.07	0	0.00
FID17421	0.33	0	0	0.00
FID19199-20068	0.59	0	30	184.56
FID23788-21851	0.57	0	0	0
FID24581-24585	0.01	0	30	228.39
FID25748-26650	0.66	0	0	0.00
FID33461	0.10	0	0	0.00
FID49957	0.44	0	30	77.23
FID55904	0.09	0	0	0.00
FID56272	0.02	0	0	0.00
FID59227	0.10	0	30	297.08
<b><u>Total:</u></b>	3.11	0.08	120	787.26

**VEGETATION IN AFFECTED AREA:** The wetland areas proposed to be impacted are contained within an existing utility right of way. In total, 2.64 acres of palustrine emergent, 0.09 acres of palustrine forested and 0.48 acres of palustrine scrub-shrub wetlands would be temporarily impacted by the proposed project. No tree clearing or grubbing is anticipated, however, herbaceous, and woody shrub vegetation may be mowed within the workspace. These areas will be allowed to revegetate upon project completion; therefore, permanent wetland conversion is not anticipated. In addition to the temporary wetland impacts, the AR03 modifications would result in 0.08 acres of permanent impact to one palustrine emergent wetland and 0.01 acres of permanent impact to one palustrine scrub-shrub wetland. These wetlands were observed to be low quality fringe wetlands, adjacent to Stateline Road and dominated heavily by invasive species.

Four waterways would be temporarily impacted by trenching activities:

- S01 (WBIC 5001374) (Impact: 30 LF / 184.56 sq. ft.): Is a 1<sup>st</sup> order tributary to North Fish Creek (WBIC 2888000).
- S02 (Impact: 30 LF / 77.23 sq. ft.): Is a 1<sup>st</sup> order tributary to Parker Creek (WBIC 2940100).
- S03 (Impact: 30 LF / 228.39 sq. ft.): Is a 1<sup>st</sup> order tributary to South Fish Creek (WBIC 2889900).
- S05 (WBIC 5001867) (Impact: 30 LF / 297.08 sq. ft.): Is a 1<sup>st</sup> order tributary to the Montreal River (WBIC 2940300).

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.

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 reseeded of disturbed areas) are proposed to minimize impacts. All temporary wetland disturbance would be returned to pre-construction contours and stabilized per WDNR technical standards 1058 and 1059.

MITIGATION: Compensatory mitigation has not been proposed by the applicant. The project will be evaluated by the Corps for the loss of wetland and stream 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 August 3, 2023 (FWS Project Code: 2023-0109725). The following species are said to reside in Ashland, Iron and Bayfield County, Wisconsin:

## MAMMALS

NAME	STATUS
<b>Canada Lynx</b> <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>	Threatened
<b>Gray Wolf</b> <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>	Endangered
<b>Northern Long-eared Bat</b> <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>	Endangered
<b>Tricolored Bat</b> <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered

## BIRDS

NAME	STATUS
<b>Piping Plover</b> <i>Charadrius melodus</i> Population: [Great Lakes watershed DPS] - Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.) 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/6039">https://ecos.fws.gov/ecp/species/6039</a>	Endangered
<b>Red Knot</b> <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
<b>Monarch Butterfly</b> <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
<b>Fassett's Locoweed</b> <i>Oxytropis campestris</i> var. <i>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.

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

Federal Energy Regulatory Commission (FERC) is the lead federal agency responsible for compliance with Section 7 of the Endangered Species Act. Information provided by FERC is being reviewed and coordinated with the USFWS if necessary. Any comments USFWS 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 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

FERC is the lead federal agency responsible for compliance with Section 106 of the National Historic Preservation Act. Information provided by FERC is being reviewed and coordinated with the State Historic Preservation Officer if necessary and will be independent of this public notice. This public notice is being sent to the National Park Service and the State Archaeologist for their comments. 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.

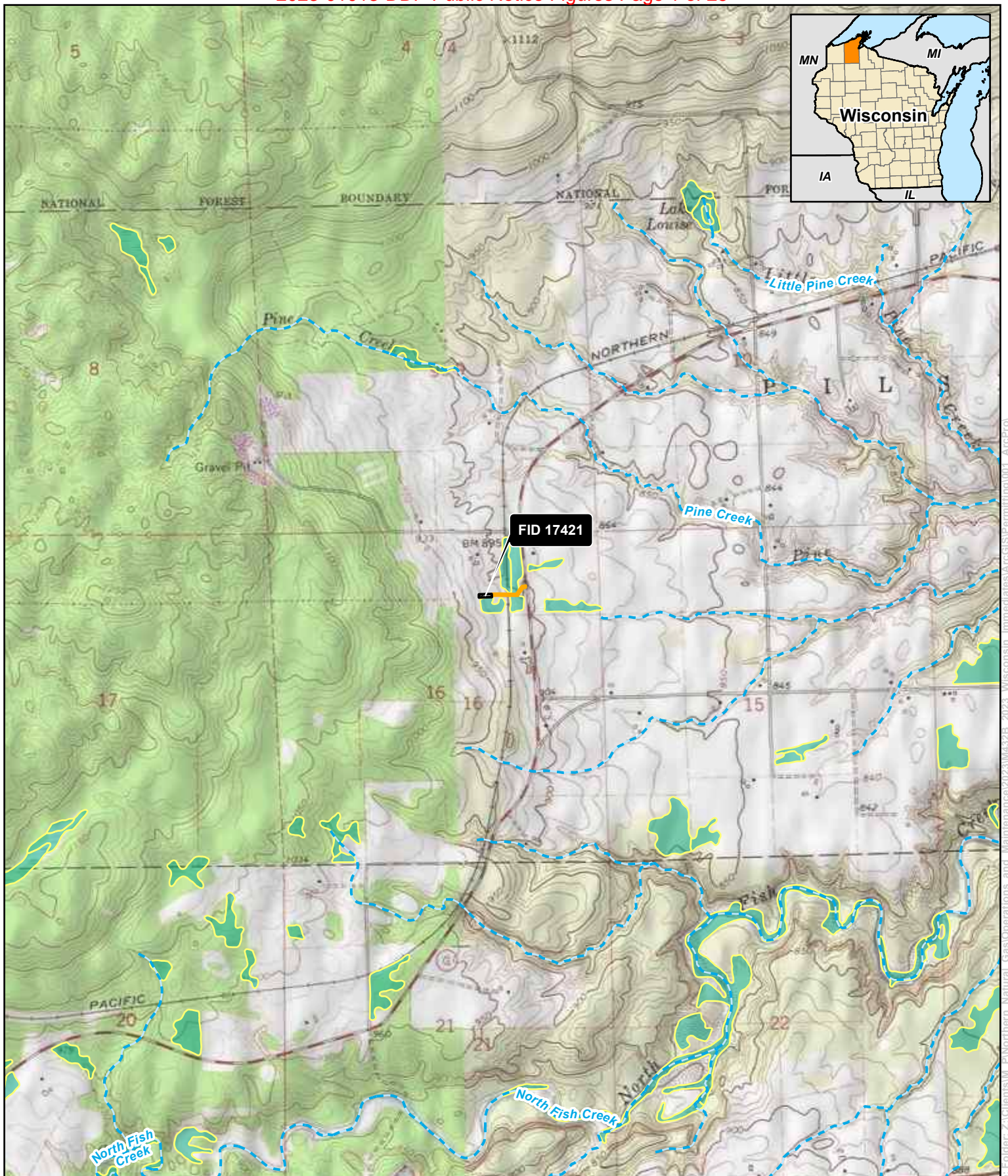
#### REPLIES/COMMENTS

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 D Palme at U.S. Army Corps of Engineers, 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.

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.

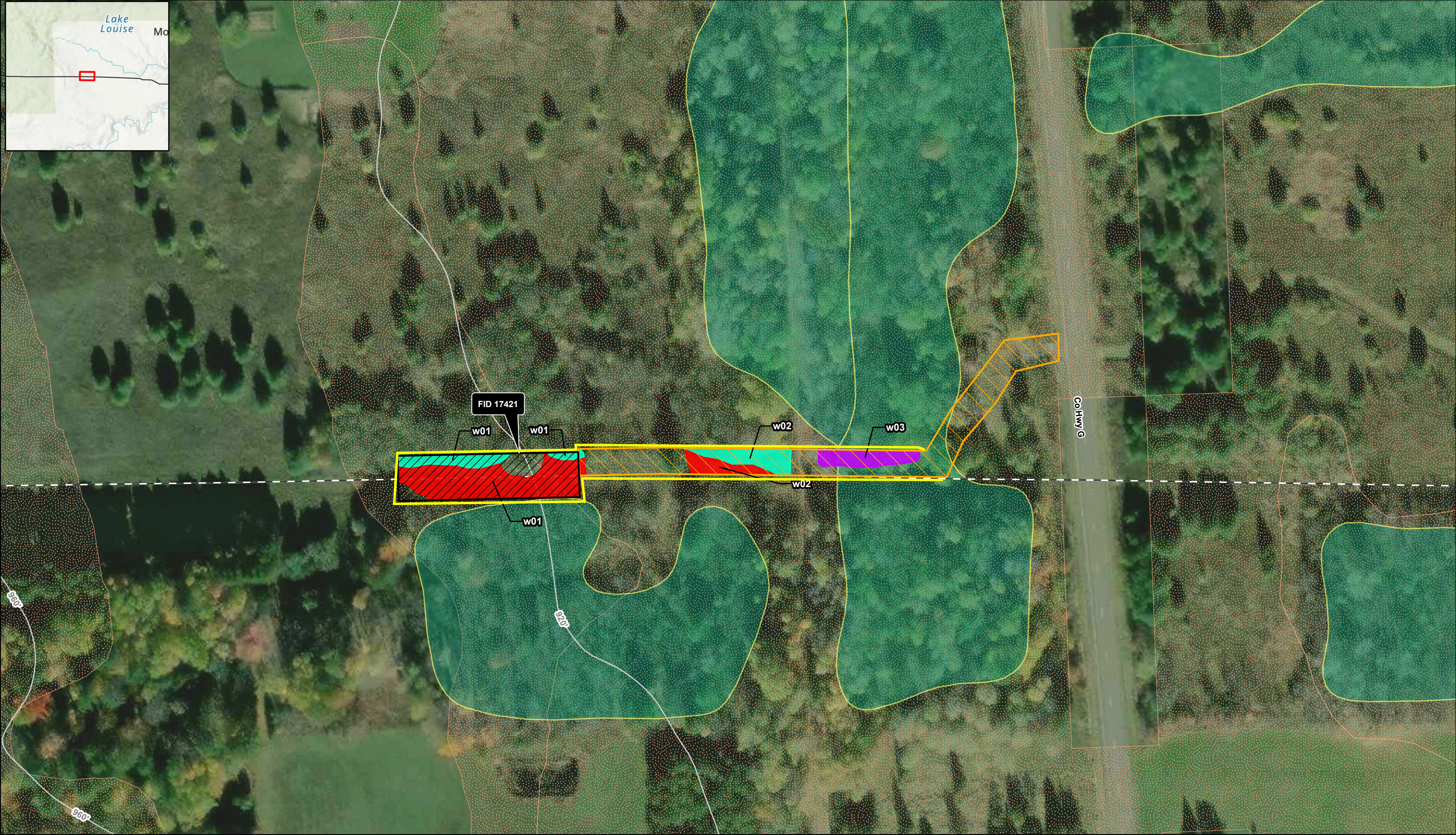


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**Figure 1**  
**M432B-16-I-R22 Verification Digs OO133972 Project**  
**Site Location**  
**Northern Natural Gas**  
**Bayfield County, Wisconsin**

- Temporary Workspace
- Access Road
- WDNR Waterway
- WWI Wetland



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For Environmental Review Purposes Only

**Figure 2**  
**M432B-16-I-R22 Verification Digs\_OO133972 Project**  
**Site Plan**  
**Northern Natural Gas**  
**Bayfield County, Wisconsin**

Temporary Bridge

BMP

Flow Direction

10' Elevation Contour

WDNR Waterway\*

WWI Wetland

Wetland Indicator Soil

Field Delineated Wetland

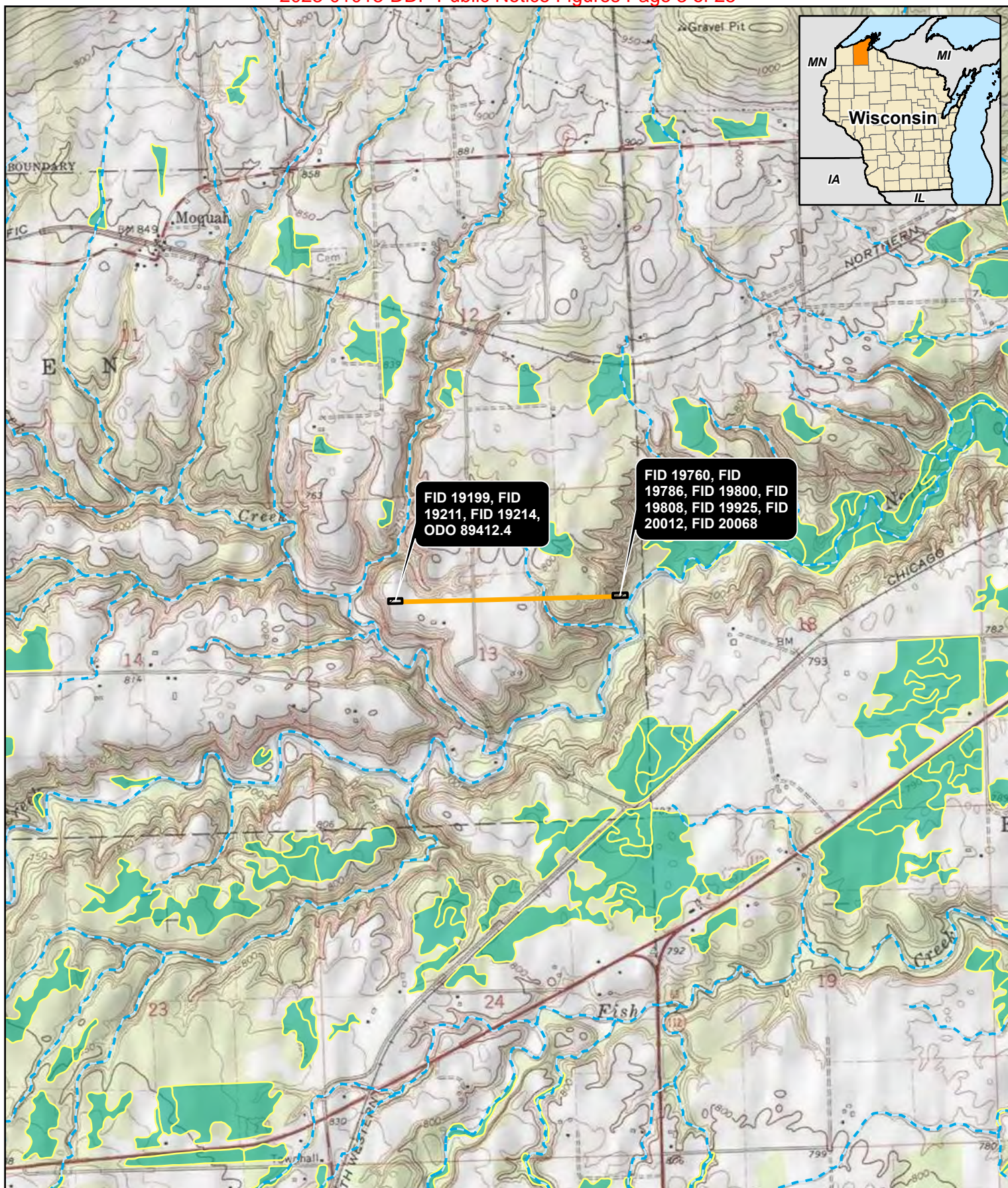
Alder Thicket

Fresh (Wet) Meadow

Hardwood Swamp

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Source: Z:\Clients\ML\_P\Northern\_Natural\_Gas\Operations\_and\_Maintenance\2023\W432B\_2023\_Wisconsin\_Immediate\001\_AirPro\W432B\_2023\_Wisconsin\_Immediate\_WI\_Digs.aprx Date: (8/17/2023)

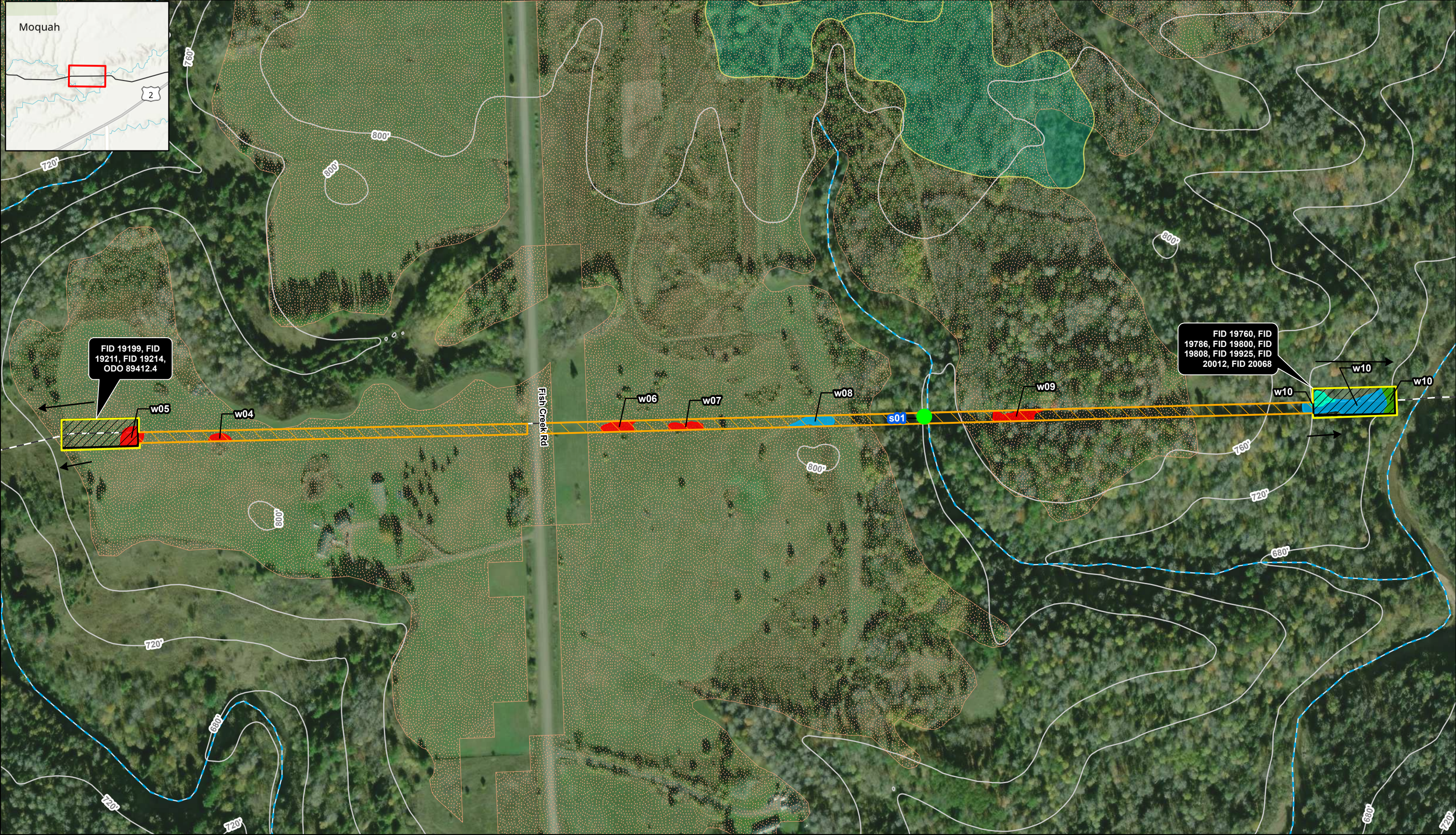


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**merjent.** Northern Natural Gas.  
For Environmental Review Purposes Only

**Figure 1**  
**M432B 2023 Wisconsin Immediates OO133972 Project**  
**Site Location**  
**Northern Natural Gas**  
**Bayfield County, Wisconsin**

- Temporary Workspace
- Access Road
- WWI Waterway
- WWI Wetland



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**Northern Natural Gas**

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For Environmental Review Purposes Only

**Figure 2**

**M432B 2023 Wisconsin Immediates OO133972 Project**

**Site Plan**

**Northern Natural Gas**

**Bayfield County, Wisconsin**

Existing Pipeline

Temporary Workspace

Access Road

Temporary Clear Span Bridge

BMP

Flow Direction

10' Elevation Contour

WWI Waterway

WWI Wetland

Wetland Indicator Soil

Field Delineated Waterway

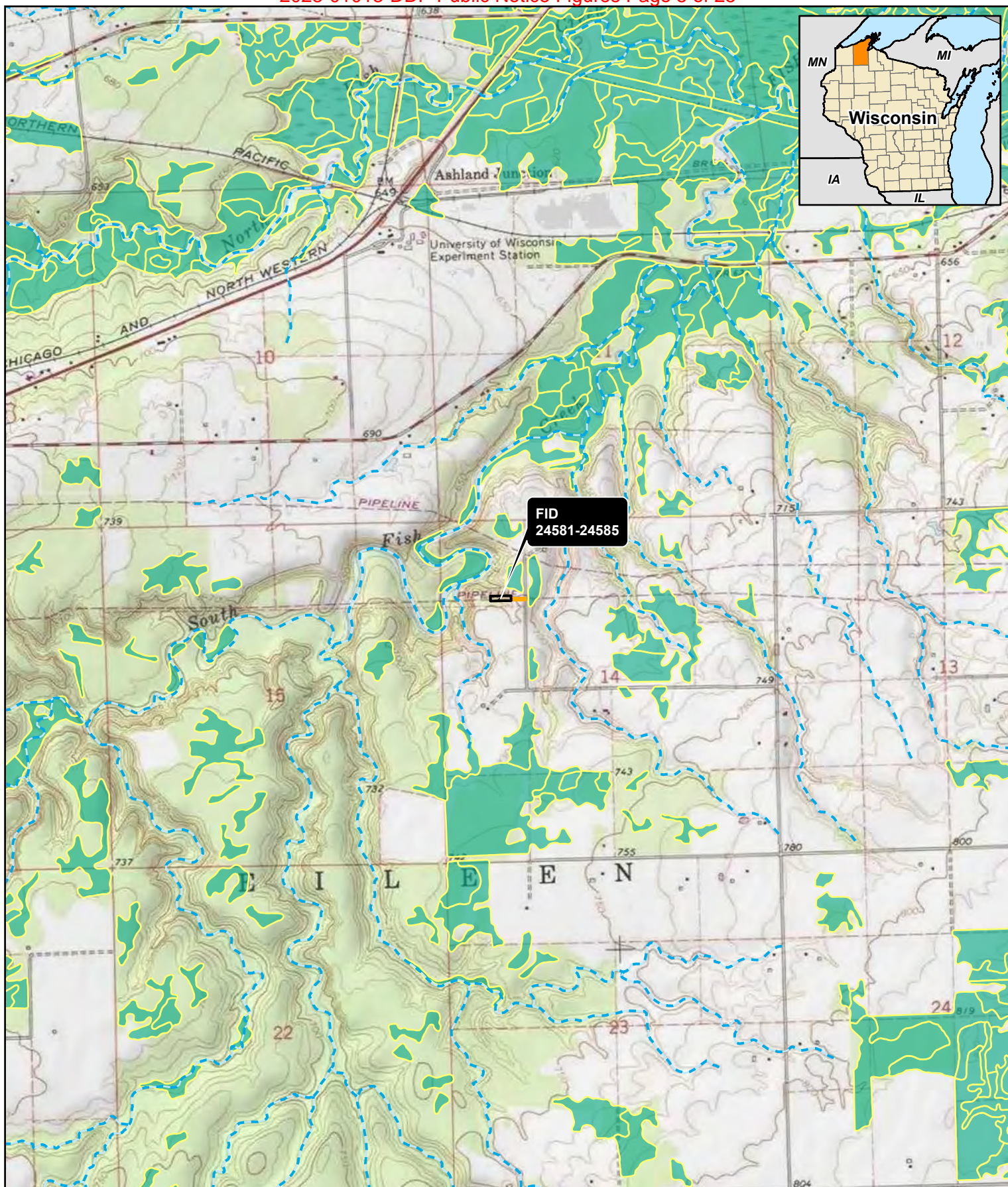
Field Delineated Wetland

Alder Thicket

Floodplain Forest

Fresh (Wet) Meadow

Sedge Meadow



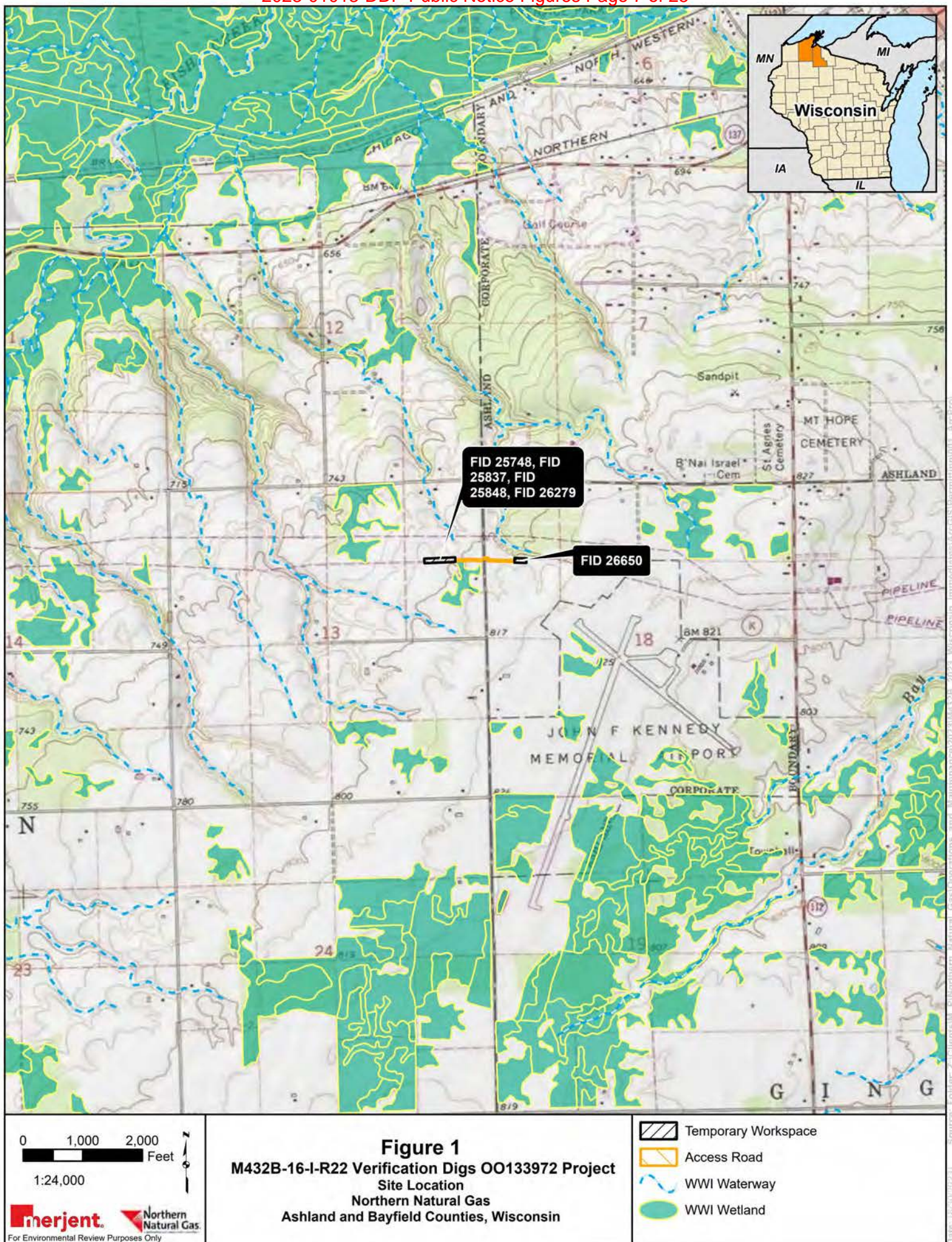
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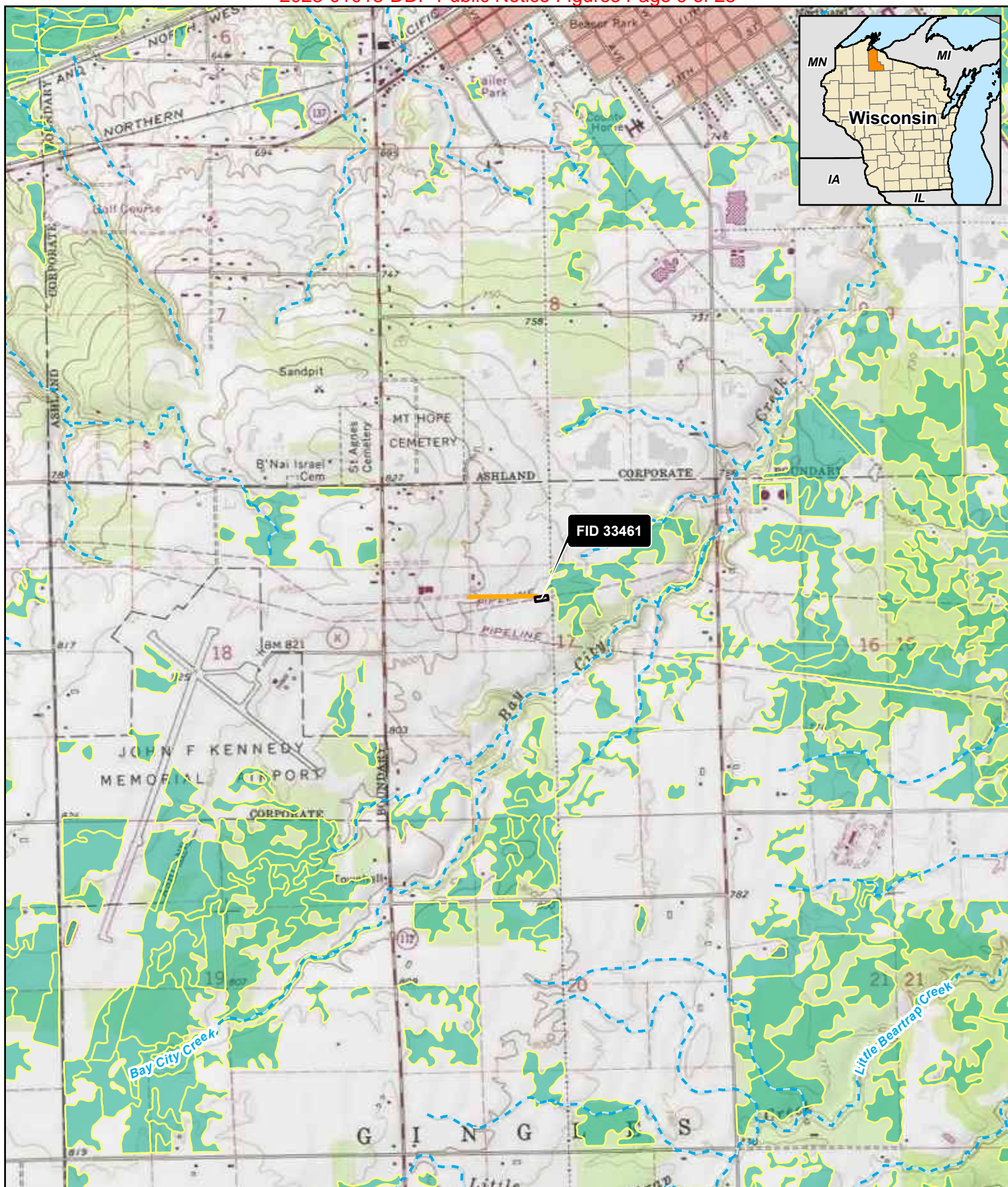
**Figure 1**  
**M432B 2023 Wisconsin Immediates OO133972 Project**  
**Site Location**  
**Northern Natural Gas**  
**Bayfield County, Wisconsin**

- Temporary Workspace
- Access Road
- WWI Waterway
- WWI Wetland









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**Figure 1**  
**M432B 2023 Wisconsin Immediates OO133972 Project**  
**Site Location**  
**Northern Natural Gas**  
**Ashland County, Wisconsin**

-  Temporary Workspace
-  Access Road
-  WDNR Waterway
-  WWI Wetland



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**Figure 2**

**M432B 2023 Wisconsin Immediate OO133972 Project**

**Site Plan**

**Northern Natural Gas**

**Ashland County, Wisconsin**

Existing Pipeline

Temporary Workspace

Access Road

BMP

Flow Direction

10' Elevation Contour

WDNR Waterway\*

WWI Wetland

Wetland Indicator Soil

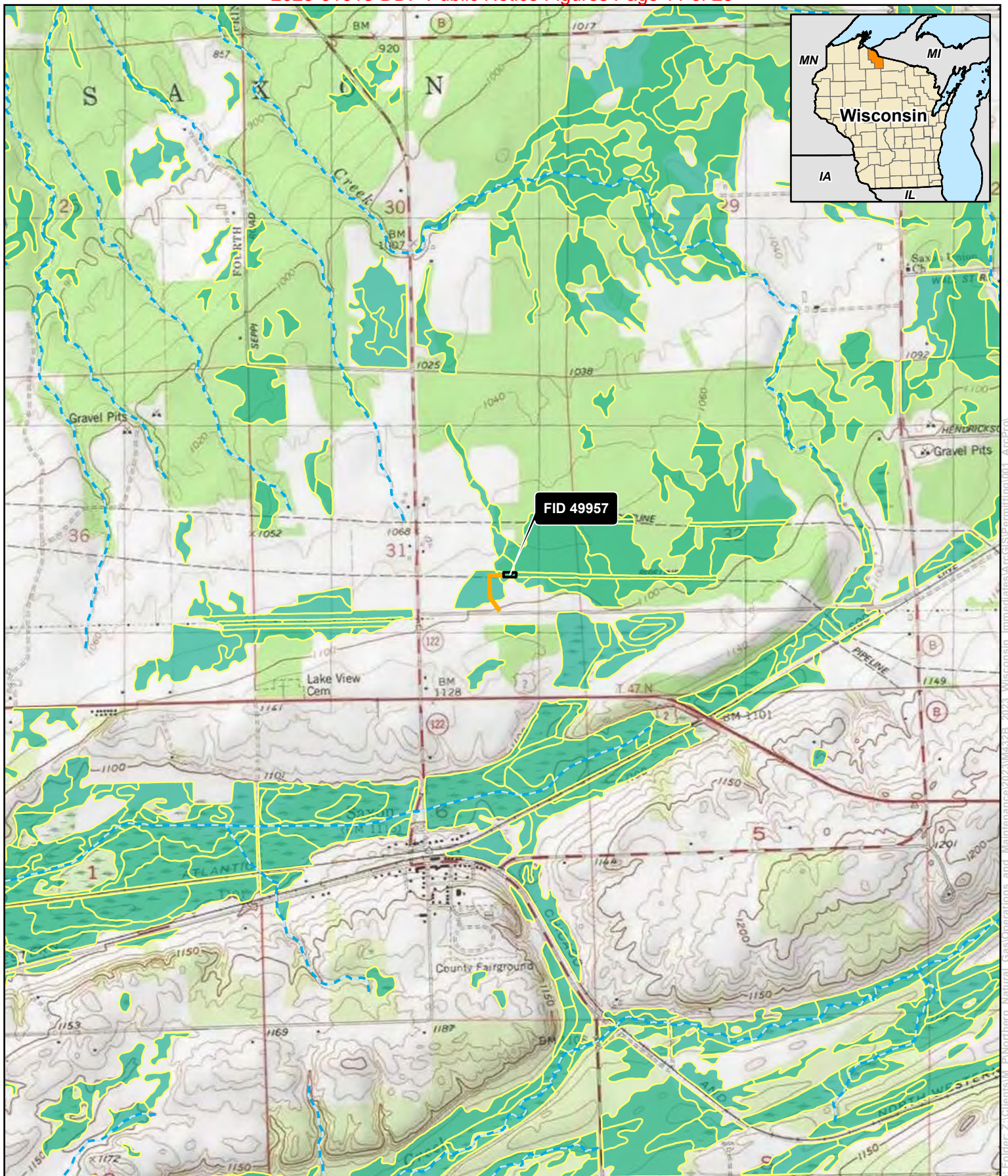
Field Delineated Wetland

Fresh (Wet) Meadow

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Date: (8/18/2023)

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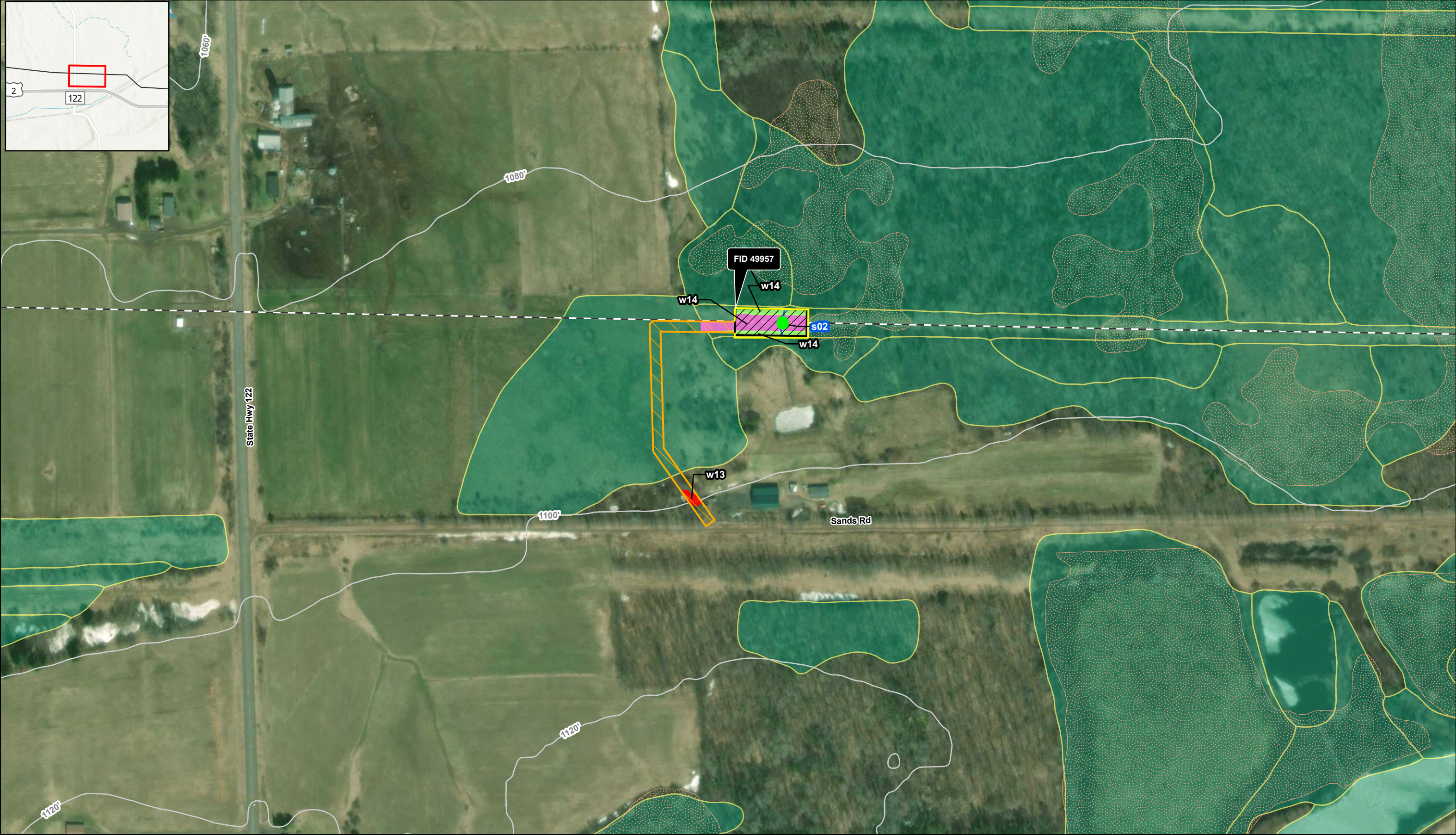


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**Figure 1**  
**M432B-16-I-R22-Verification Digs OO133972 Project**  
**Site Location**  
**Northern Natural Gas**  
**Iron County, Wisconsin**

- Temporary Workspace
- Access Road
- WWI Waterway
- WWI Wetland



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Northern Natural Gas

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Existing Pipeline

Temporary Workspace

Access Road

Temporary Clear Span Bridge

BMP

Flow Direction

10' Elevation Contour

WWI Waterway

WWI Wetland

Wetland Indicator Soil

Field Delineated Waterway

Field Delineated Wetland

Fresh (Wet) Meadow

Shallow Marsh

Shrub-Carr

**Figure 2**

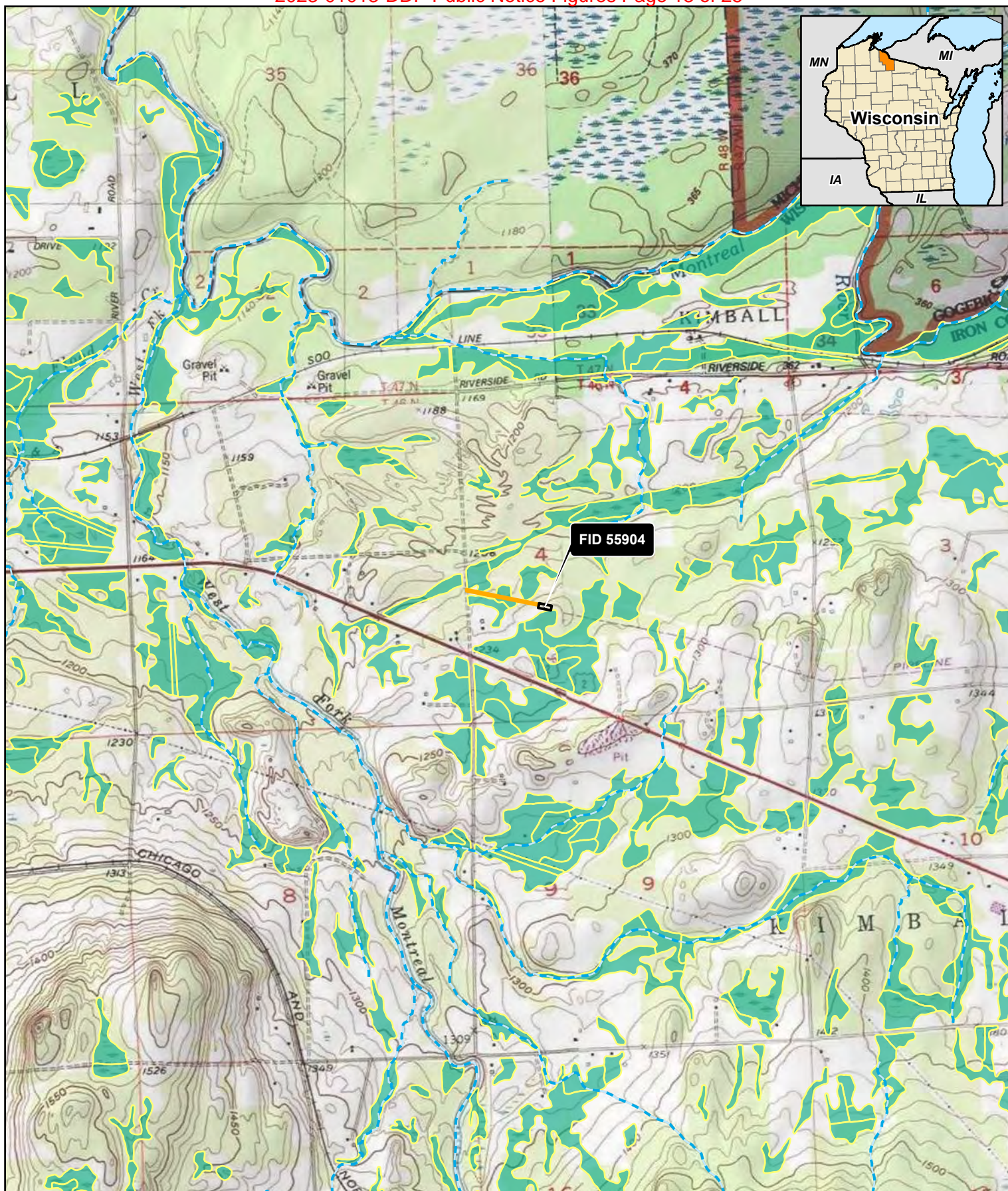
**M432B-16-I-R22 Verification Digs OO133972 Project**

**Site Plan**

**Northern Natural Gas**

**Iron County, Wisconsin**

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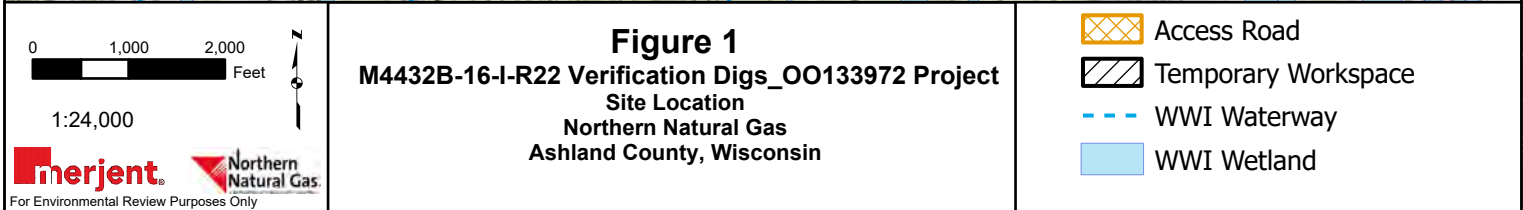
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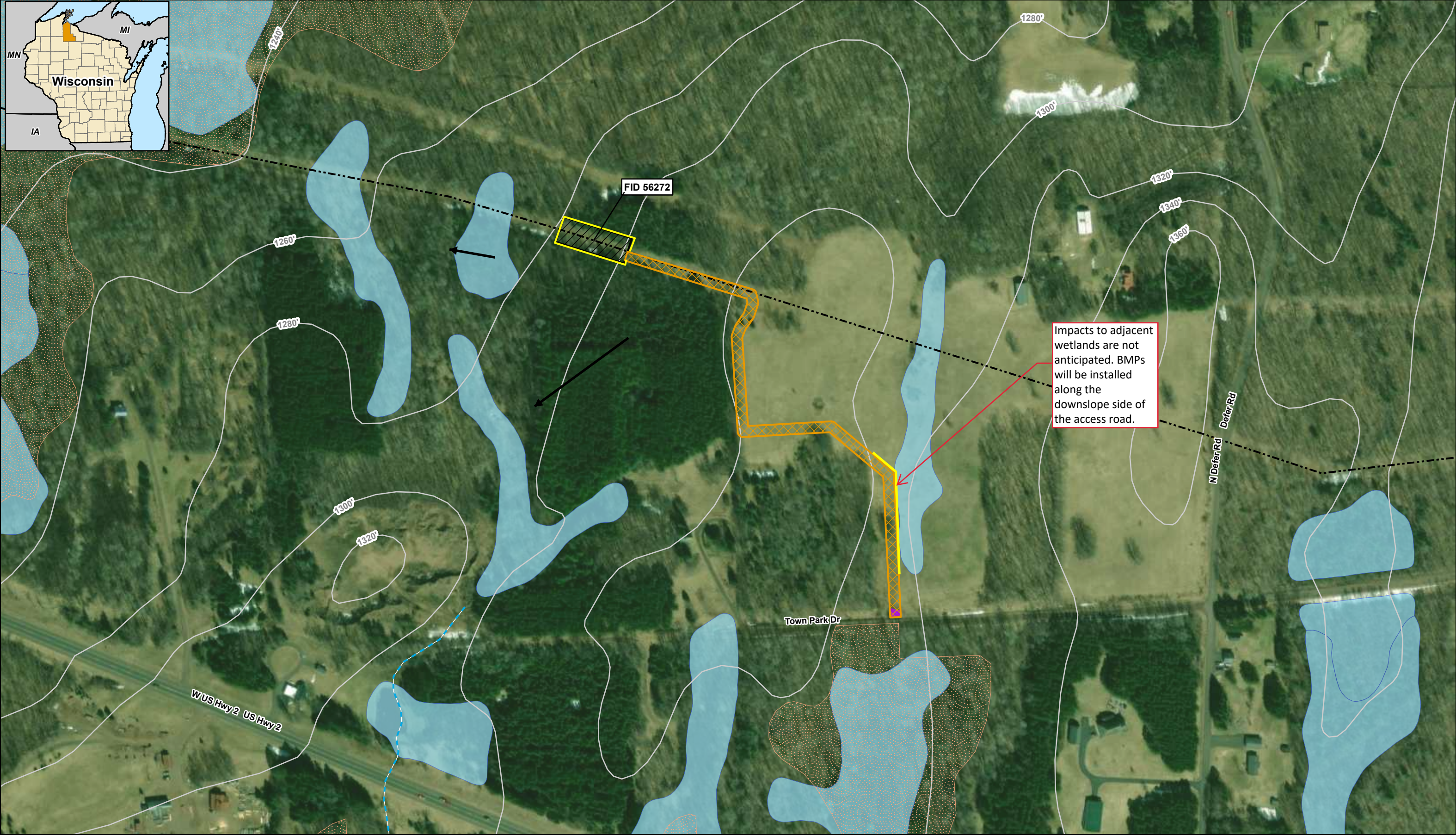
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**Figure 1**  
**M432B-16-I-R22 Verification Digs\_OO133972 Project**  
**Site Location**  
**Northern Natural Gas**  
**Iron County, Wisconsin**

-  Temporary Workspace
-  Access Road
-  WWI Waterway
-  WWI Wetland







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Northern Natural Gas

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Figure 2

M432B-16-I-R22 Verification Digs\_OO133972 Project

Site Plan

Northern Natural Gas

Ashland County, Wisconsin

Access Road

Temporary Workspace

BMPs

Field Delineated Wetland

Wetland Indicator Soil

Existing Pipeline

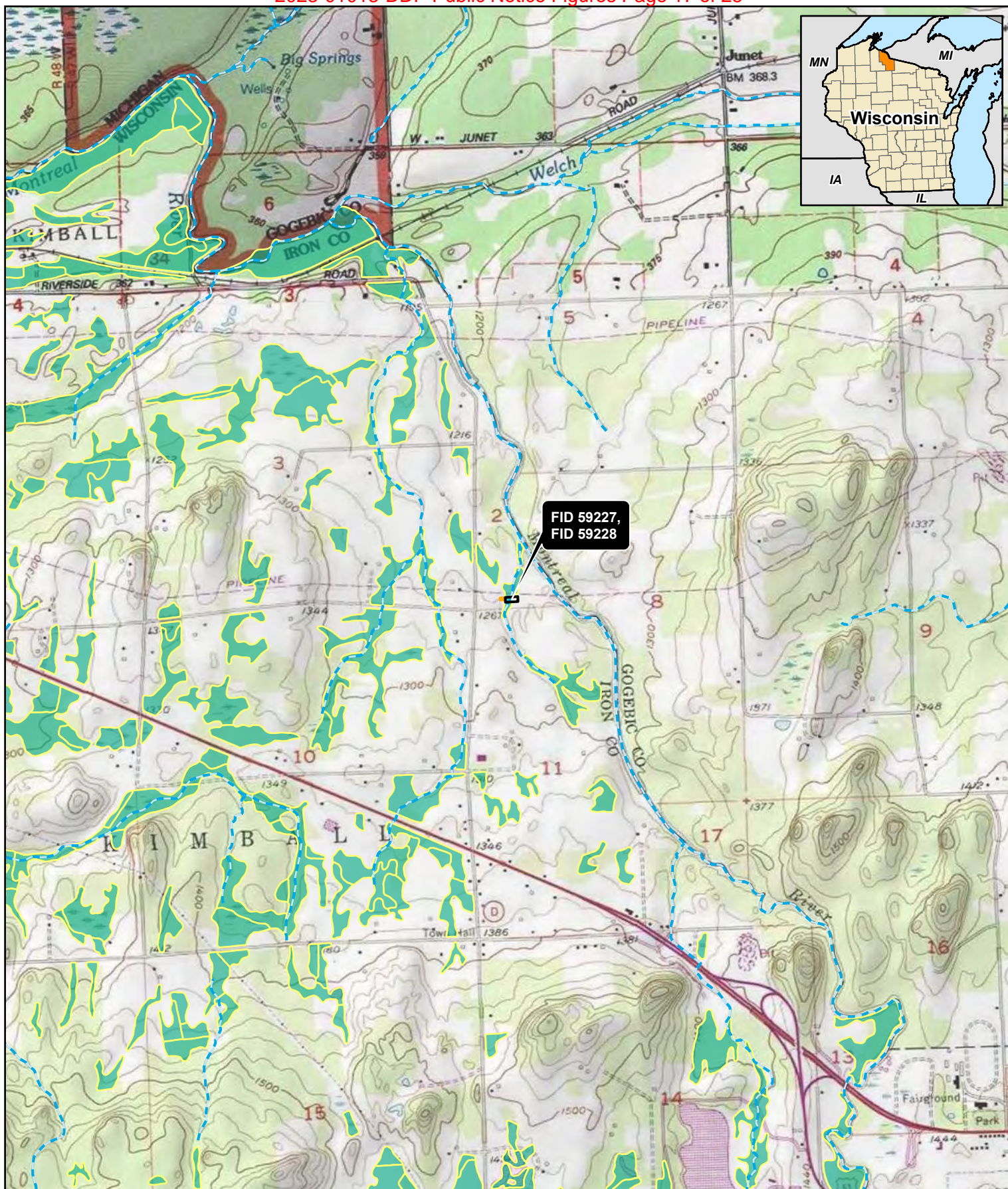
10' Contour

Flow Direction

WWI Waterway

WWI Wetland

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**Figure 1**  
**M432B 2023 Wisconsin Immediates OO133972 Project**  
**Site Location**  
**Northern Natural Gas**  
**Iron County, Wisconsin**

- Temporary Workspace
- Access Road
- WWI Waterway
- WWI Wetland



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**Figure 2**

**M432B 2023 Wisconsin Immediate OO133972 Project**

**Site Plan**

**Northern Natural Gas**

**Iron County, Wisconsin**

Existing Pipeline

Temporary Workspace

Access Road

Temporary Clear Span Bridge

BMP

Flow Direction

10' Elevation Contour

County Boundary

WWI Waterway

WWI Wetland

Wetland Indicator Soil

Field Delineated Waterway

Field Delineated Wetland

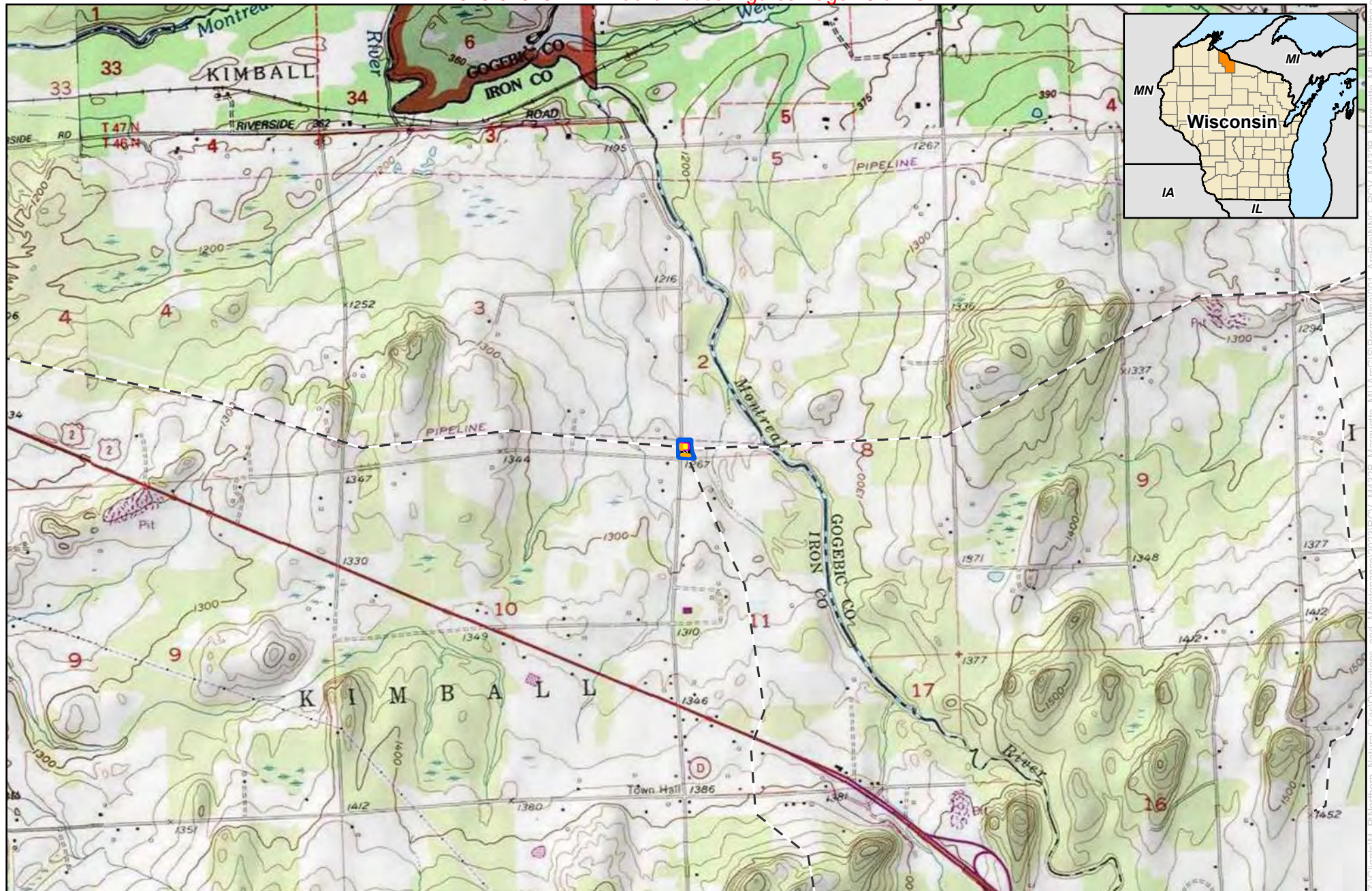
Alder Thicket

Northern Natural Gas

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For Environmental Review Purposes Only

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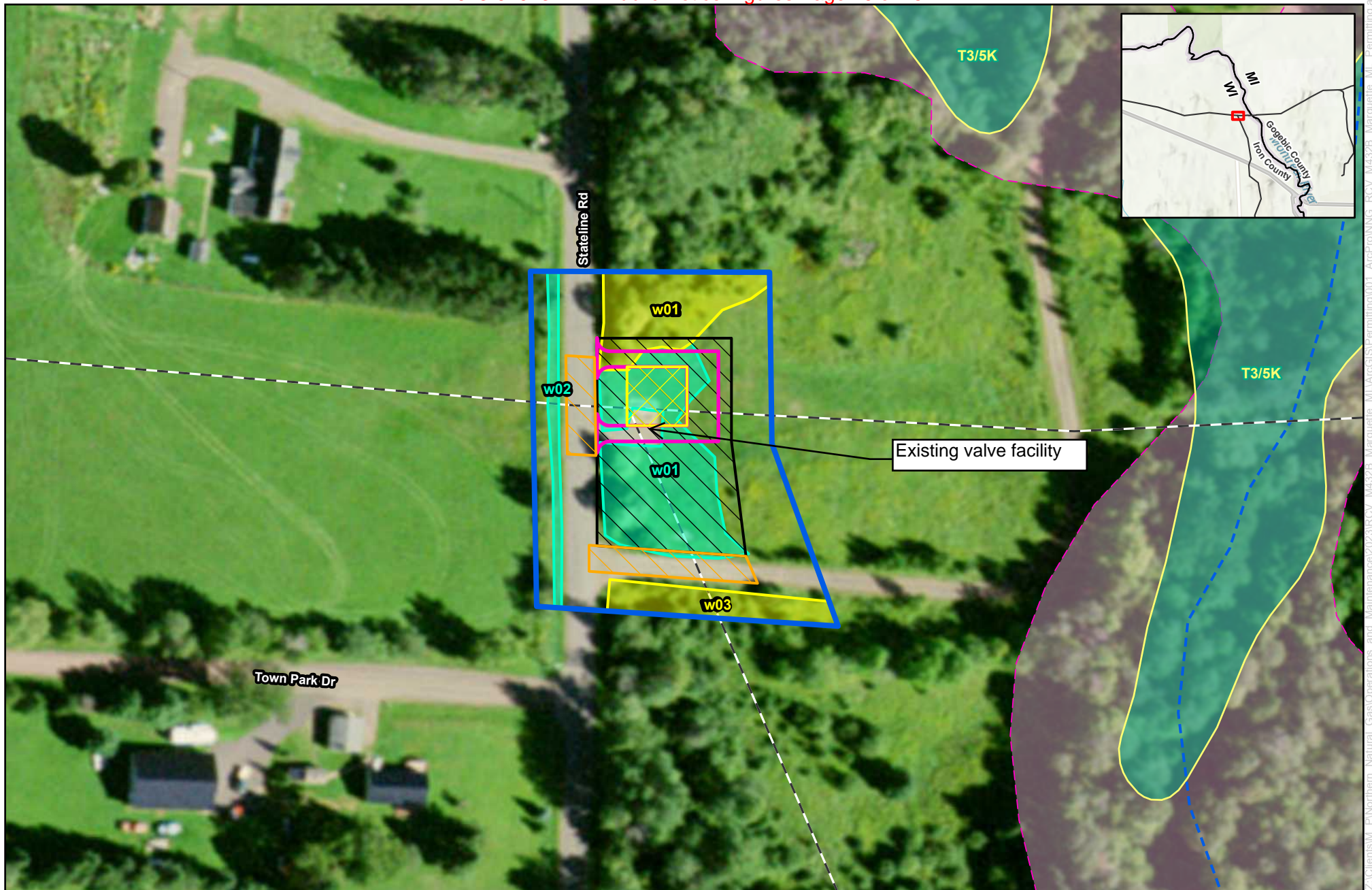
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For Environmental Review Purposes Only

**Figure 1: Project Location**  
**Northern Natural Gas**  
**RCV M432B Marquette ML BBB08 &**  
**BBB09\_01096036 Site AR03 Project**  
**Iron County, Wisconsin**

- Existing Pipeline
- Delineation Survey Area
- Temporary Workspace
- Temporary Access Road
- Proposed Driveway
- Proposed Gravel Pad



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Feet  
1 inch = 100 feet



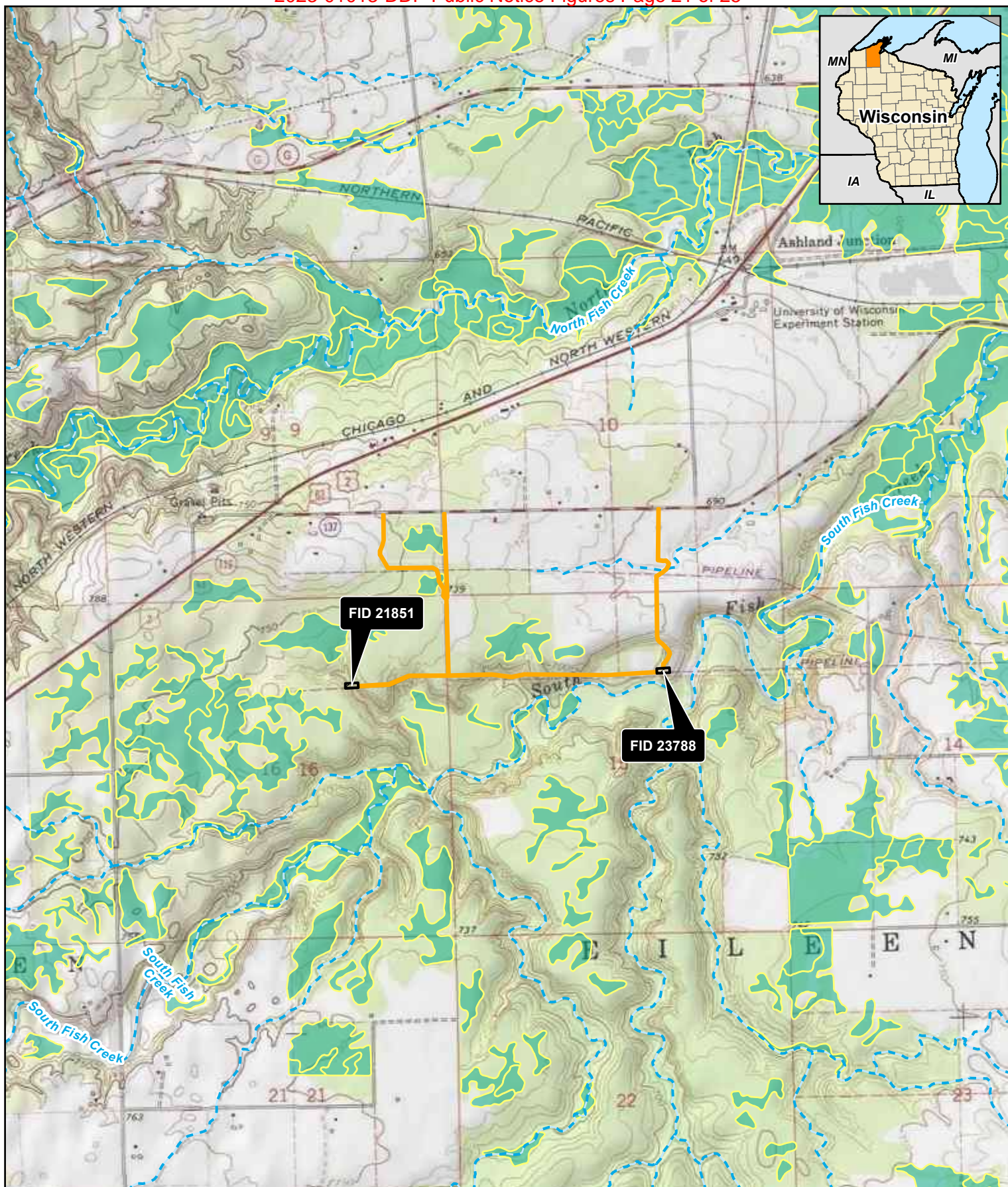
**Figure 2: Environmental Data**  
**Northern Natural Gas**  
**RCV M432B Marquette ML BBB08 &**  
**BBB09\_01096036 Site AR03 Project**  
**Iron County, Wisconsin**

- Existing Pipeline
- Delineation Survey Area
- Temporary Workspace
- Temporary Access Road

- Proposed Driveway
- Proposed Gravel Pad
- Field Delineated Wetlands:
- Alder Thicket
- Fresh (Wet) Meadow

- WDNR Waterway
- WDNR Waterbody\*
- WWI Wetland
- Wetland Indicator Soil

\*No features within data frame



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**merjent** Northern Natural Gas  
For Environmental Review Purposes Only

**Figure 1:**  
**M432B-16-I-R22 Verif Digs - Site FID21851-23788**  
**Site Location**  
**Northern Natural Gas**  
**Bayfield County, Wisconsin**

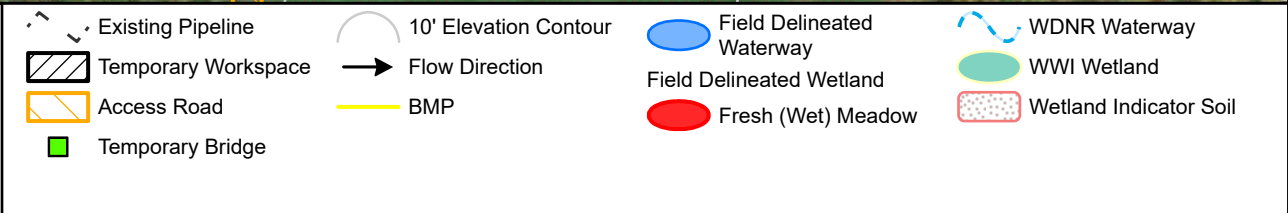
- Temporary Workspace
- Access Road
- WDNR Waterway
- WWI Wetland

Sources: 2: Clients\SW\Northern\_Natural\_Gas\Operations\_and\_Maintenance\2023\M432B\_2023\_Wisconsin\Immediates\VerifDigs\Permitting\001\_Acct\North432B\_16\_I\_R22\_VerifDigs\_WI\_Permitting.aprx Date: (8/23/2023)



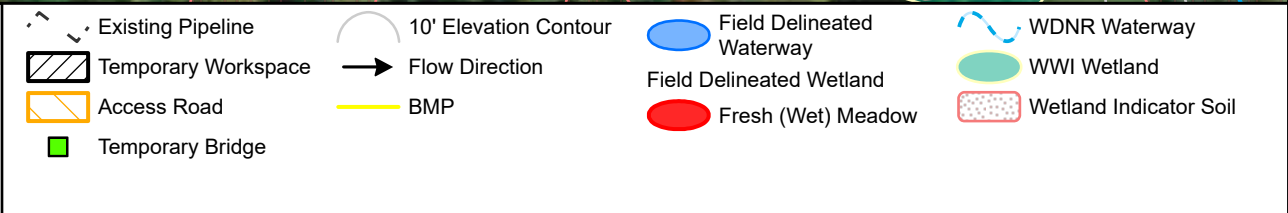
Page 1 of 4

**Figure 2:**  
**M432B-16-I-R22 Verif Digs - Site FID21851-23788**  
**Site Plan**  
**Northern Natural Gas**  
**Bayfield County, Wisconsin**

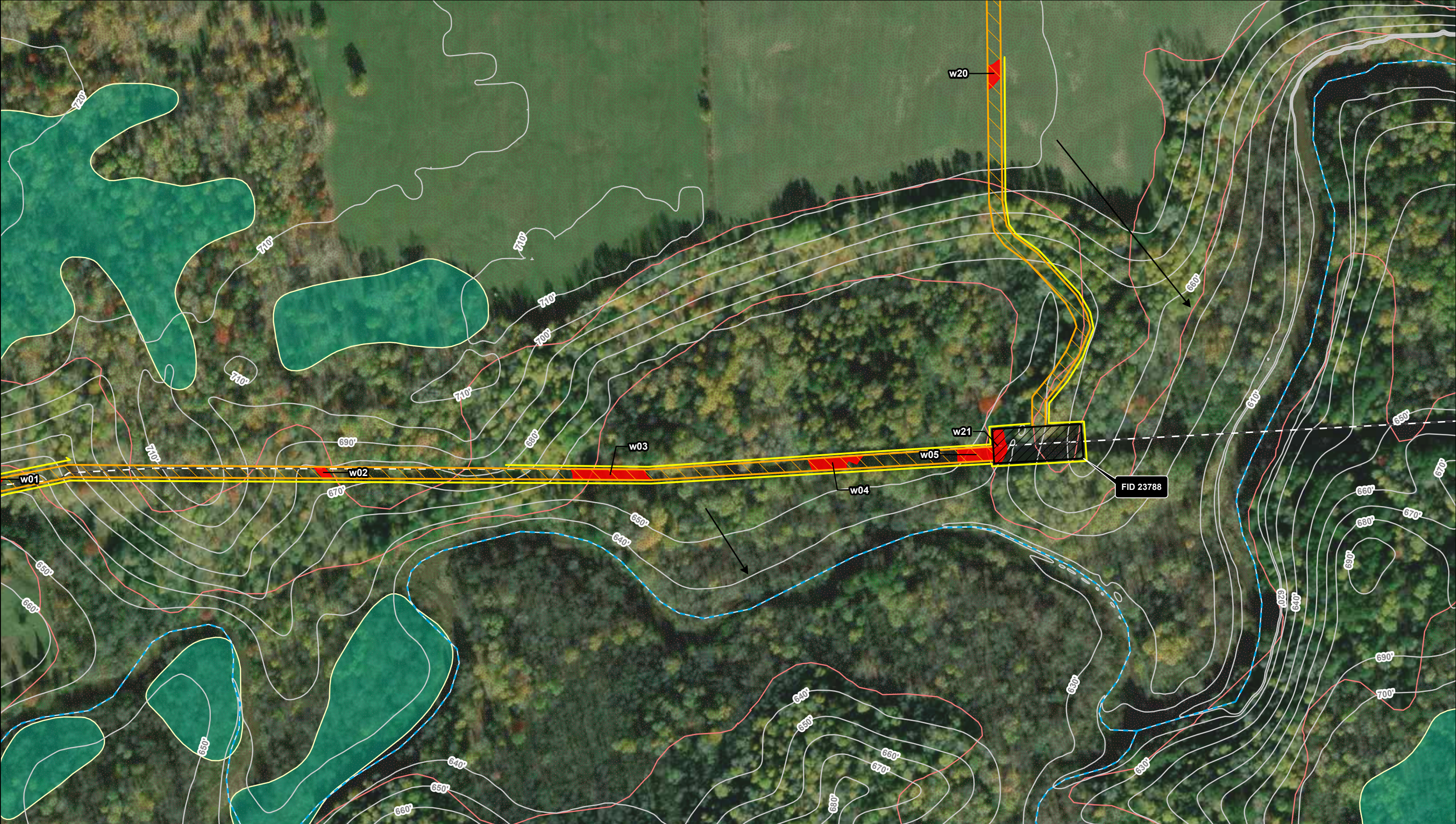




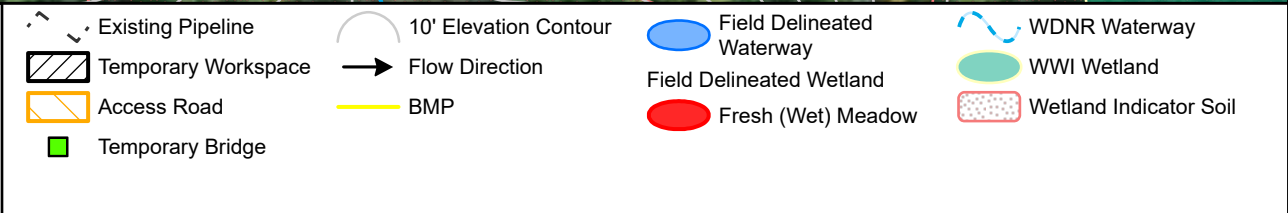
**Figure 2:**  
**M432B-16-I-R22 Verif Digs - Site FID21851-23788**  
**Site Plan**  
**Northern Natural Gas**  
**Bayfield County, Wisconsin**



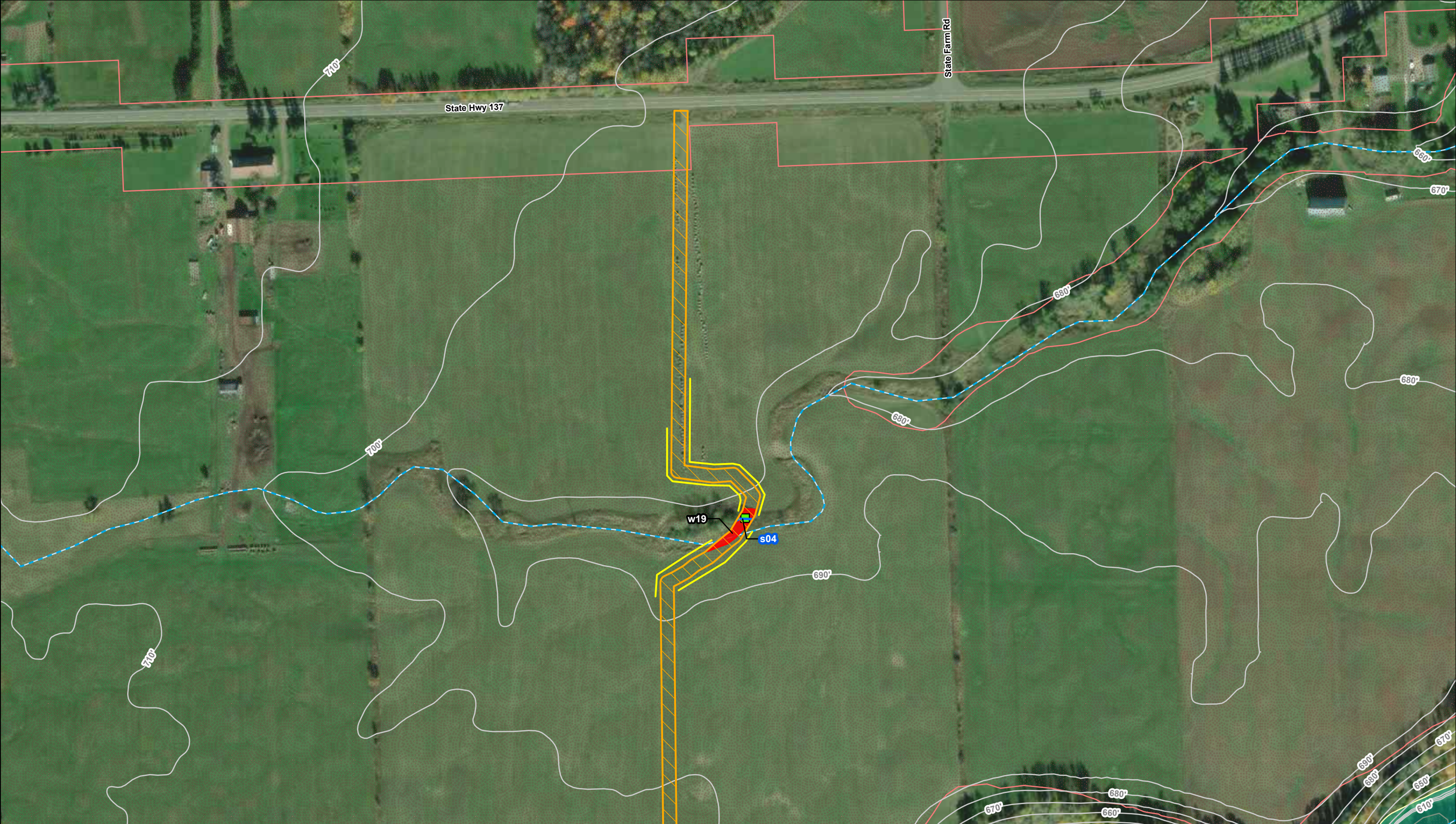
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Date: (6/23/2023)



**Figure 2:**  
**M432B-16-I-R22 Verif Digs - Site FID21851-23788**  
**Site Plan**  
**Northern Natural Gas**  
**Bayfield County, Wisconsin**



Source: Z:\Clients\MLP\Northern\_Natural\_Gas\Operations\_and\_Maintenance\2023\W432B\_2023\_Wisconsin\Immediate\Arco\ISV\Permitting\00\_ArcPro\W432B\_16\_I\_R22\_VerDigs\_WL\_Permitting.aprx Date: (6/23/2023)



**Figure 2:**  
**M432B-16-I-R22 Verif Digs - Site FID21851-23788**  
**Site Plan**  
**Northern Natural Gas**  
**Bayfield County, Wisconsin**

