

# Coon Creek Watershed District

Section 2.10 – WCA LGUs do not issue permits, they issue decisions or determinations, which are very different from each other within the technicalities of WCA administration. It would be good to include the word "decisions" here along with "other determinations" to be consistent with language and avoid a potential loophole. An additional concern with this section is how the MPCA will keep track of whether a project needs wetland approval and if all required approvals have been obtained. Does this apply to Army Corps of Engineers permits as well? If so, there could be major consequences for project timelines due to the long review times at the federal level.

Section 9.9 – With sediment controls needing to be an effective distance away from the base of a stockpile, it makes more sense for sediment controls to be installed immediately after a stockpile is created.

Section 9.17 – County and judicial ditches being exempt from the 50ft natural buffer requirement should be re-evaluated. Some public ditches are impaired waters and/or drain directly to major waterways or public waters.

Section 9.18 – The use of earthen berms for perimeter control should be emphasized or recommended to help eliminate single use plastic silt fence.

Section 11.5 – Curb and gutter systems adjacent to the project should not be exempt from being inspected for sediment deposition. Large amounts of sediment can be transported through curb and gutter systems. It should also be clarified what "adjacent" means within the section or in definitions.

Section 16.12 – The justification for the requirement that the 3 ft of separation between groundwater or bedrock and the bottom of an infiltration system must be native undisturbed soils is unclear. This would make volume control even more difficult to achieve for sites in high groundwater areas.

Section 25.15 – How "distinctly set apart from a roadway" and "alongside roadways" are determined is unclear. "Residential areas" is also undefined.

General - The announcement of the comment period and availability of information on the new permit, draft permit language, and informational meeting has been minimal, difficult to find, and unlikely to have reached the majority of the impacted parties.

The proposed changes, while some may consider minor changes, are baby steps towards potentially larger rule changes and implications in the future that require discussion and consideration.

MPCA should host workshops to gain insight from applicants and LGUs, explain the required permit components, and work to draft a permit that complies with the law, protects the environment, and minimizes cost and challenges to the applicants.

Draft permit language with redlines illustrating proposed language changes should be readily available and obvious on the MPCA CSW Webpage, and elsewhere that is created to interact with

applicants, to ensure applicants are aware of the proposed changes. Not buried as the last item in a dropdown menu of other documents at the very end of the public comment form.