

## General information

**Public comment period begins:** January 17, 2023

**Public comment period ends:** March 3, 2023

**Current permit issued:** August 1, 2018

**Current permit expiration date:** July 31, 2023

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to reissue this permit for a term of approximately five years.

**Facility name and location:**

Construction Stormwater General  
Permit

**MPCA contact person:**

Todd Smith  
Municipal Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155  
Phone: 651-757-2732  
Email: [todd.smith@state.mn.us](mailto:todd.smith@state.mn.us)  
File manager phone: 651-757-2728 or  
1-844-828-0942

A draft permit and fact sheet are available for review on the MPCA Public Notices webpage at <http://www.pca.state.mn.us/publicnotices>. Additional materials relating to the issuance of this permit are available for inspection by appointment at any MPCA office (<https://www.pca.state.mn.us/about-mPCA/contact-us>) between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The MPCA will mail or email a copy of the draft permit upon request. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and U.S. Mail comments must be received by 4:30 p.m.

## Description of permitted activity

This general permit will provide coverage for stormwater discharges associated with construction activity including clearing, grading and excavation, which disturb land of equal to or greater than one acre including projects that are part of a common plan of development that will disturb one or more acres. This permit requires permittees to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) prior to submitting the application for construction activity to address the potential for discharge of sediment and/or other potential pollutants.

The preliminary determination to reissue this Const Stormwater permit is tentative.

## Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

- 1) Submit written comments on the draft permit.
- 2) Petition the MPCA to hold a public informational meeting.
- 3) Petition the MPCA to hold a contested case hearing.

## Submitting written comments

Comments may be submitted:

- 1) Online at <http://www.pca.state.mn.us/publiccomments>; or
- 2) By U.S. postal mail to the following address:  
Minnesota Pollution Control Agency  
c/o Todd Smith  
520 Lafayette Road North  
St. Paul, Minnesota 55155

To submit comments or petitions online or by mail to the MPCA, you must state:

- 1) Your interest in the permit application or the draft permit.
- 2) The action you wish the MPCA to take, including specific references to the section of the draft permit you believe should be changed.
- 3) The reasons supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

## Public informational meeting

In accordance with Minn. R. 7000.0650 and Minn. R. 7001.0110, you may submit a petition for a public informational meeting, however, due to the number of comments expected, the MPCA has scheduled a public meeting during the public comment period. The MPCA will deliver a short presentation on the proposed changes and answer questions. The meeting will be conducted via Microsoft Teams. For log in information, please see the construction stormwater webpage.

**Public informational meeting:** February 7, 2023, 10:00 a.m - 12:00 p.m  
For more information and to log into the meeting, see the construction stormwater webpage:  
<https://www.pca.state.mn.us/business-with-us/construction-stormwater>

## Contested Case Hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.