

General information

Public comment period begins: July 1, 2024

Public comment period ends: July 15, 2024

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to certify the referenced project, with conditions, and has preliminarily determined that the project will satisfy the antidegradation standards in Minn. R. 7050.0265.

Name and address of Applicant:

St. Louis County Public Works
Department
c/o: Sam Cook
4787 Midway Road
Duluth, Minnesota 55811

Project name and location (county):

County State Aid Highway 12 Culvert
Replacement Project, located on
Talmadge River, St. Louis County

MPCA contact person:

Bill Wilde, Project Manager
Resource Management and Assistance Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
Phone: 651-757-2825
Email: William.wilde@state.mn.us

Federal Permitting Agency:

Jeremy Kinney
Lead Project Manager
U. S. Army Corps of Engineers
St. Paul District - Regulatory
332 Minnesota Street, Suite E1500
St. Paul, MN 55101

A draft Section 401 Water Quality Certification with antidegradation determination is available for review on the MPCA Public Notices webpage at <http://www.pca.state.mn.us/publicnotices> or at the MPCA office address listed under the MPCA contact person. The MPCA will mail or email a copy of the draft certification 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 time identified above.

Major Watershed: Lake Superior

Description of Issuance for 401 Water Quality Certification for CSAH 12 Culvert Construction/Modification/Replacement Project, St. Louis County

St. Louis County proposes to replace an aging bridge(culvert) on CSAH 12 (Lester River Rd.) approximately 270 feet North of Lavis Road in Lakewood Township. Bridge No. 103 is currently 60 inches, reinforced concrete pipe culvert that is approximately 62 feet long. Bridge No. 103 serves as a crossing over the Talmadge River. The Talmadge River meanders through this area before entering to Lake Superior. The existing culvert has reached the end of its serviceable life. St. Louis County Public Works Department and the St. Louis County Soil and Water Conservation District (SWCD) have partnered on this replacement as a project to restore fish passage at this crossing.

The proposed replacement structure is a 12 feet wide x 8 feet high x 54 feet long precast concrete box culvert with a total length of approximately 88 feet including aprons. The new culvert will be adjusted and skewed 15 degrees to better match the natural course of the Talmadge River. Approximately 400 lineal feet of disturbance will occur along one or both sides of the roadway and may include minimal clearing/grubbing of vegetation. Earth moving activities at the site will include importing and exporting materials from the site, including structural fill.

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 certification and antidegradation determination.
- (2) Petition the MPCA to hold a public informational meeting.
- (3) Petition the MPCA to hold a contested case hearing.

Submitting written comments

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

- (1) Your interest in the request for 401 water quality certification or the draft 401 water quality certification.
- (2) The action you wish the MPCA to take, including specific references to the section of the draft 401 water quality certification 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

A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

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.