

General information

Public comment period begins: August 12, 2024

Public comment period ends: August 26, 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:

Sam Cook, Project Manager
St. Louis County Public Works
4787 Midway Road
Duluth, Minnesota 55811

Project name and location (county):

McQuade Road / CSAH 40 Culvert
Replacement Project,
St. Louis County

MPCA contact person:

Bill Wilde
MPCA Project Manager
Resource Management and Assistance Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
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Federal Permitting Agency:

Elizabeth G. Marti
Regulatory Specialist
U.S. Army Corps of Engineers
Bemidji Regulatory Field Office
4111 Technology Drive NW,
Suite 2955
Bemidji, MN 56601

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 McQuade Road / County State Aid Highway 40 Culvert Replacement Project

The MPCA has examined the application and other information furnished by the applicant, the St. Louis County Public Works Department. The proposed project will replace an aging culvert that has reached the end of its serviceable life located on where McQuade Road/County State Aid Highway (CSAH) 40 crosses an unnamed tributary to the Big Sucker River approximately 2,000 feet north of East Pioneer Road. The existing crossing consists of two 48-inch corrugated metal pipe (CMP) culverts that are approximately 40 feet long. St. Louis County proposes to replace the existing culverts with a single 9 feet wide by 5 feet high by 38 feet long, reinforced concrete box culvert. The proposed culvert will have a barrel length of 38 feet and an overall length of 58 feet including the aprons. In addition, the Unnamed Tributary impacts are limited to 136 square feet of culvert impacts and 247.1 square feet of riprap below the ordinary high-water level (OHWL). After project completion, the functional lift/water quality will be improved, and mitigation is not required.

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.