

General information

Public comment period begins: August 19, 2024

Public comment period ends: September 2, 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:
Nathan Arnold, Ass. County Engineer
Olmsted County Public Works
2122 Campus Drive, SE, Suite 200
Rochester, Minnesota 55904

Project name and location (county):
Olmsted County CSAH 7 Bridge #89161
Replacement Project,
Olmsted 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
Phone: 651-757-2825
Email: william.wilde@stste.mn.us

Federal Permitting Agency:
Tom Hayek Jr.
Project Manager
US Army Corps of Engineers
Regulatory Division, St. Paul District
332 Minnesota Street, Suite E1500
St. Paul, Minnesota 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 identified above.

Major Watershed: Root River

Description of Issuance for 401 Water Quality Certification for Olmsted County CSAH 7 Bridge #89161 Replacement Project

The MPCA has examined the application and other information furnished by the applicant, the Olmsted County Public Works Department, that proposes to replace the existing bridge (old bridge No. 89161) with two 14 feet wide by 9 feet high by 92 feet long precast concrete box culverts (new bridge No. 55K33). The project would place 6-inch (depth) Class I riprap inside the south box culvert and at apron ends, as well as place 1 foot-6-inch (depth) Class I riprap inside bottom of the north box culvert and at apron ends. End to end, riprap will be placed along 198 feet of the stream at the bridge crossing. Short term construction impacts to the Unnamed Creek surface water are minimized, and the project plans include detailed erosion control best management practices and stormwater pollution prevention plans. Replacing the existing deficient, narrow structure currently at 50.4 feet wide with a new structure conforming to current safety standards at 58.25 feet wide, the completed project eliminates or reduces structural and/or slope failures at the bridge and is the least degrading, prudent, and feasible long-term alternative for the surface water at this site. There are no permanent impacted wetlands along the Unnamed Creek within the proposed project area, and mitigation is not required. In addition, there are no physical alterations to any surface water. The water quality is not expected to change and may improve, following project completion.

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.