

General information

Public comment period begins: December 19, 2024

Public comment period ends: January 9, 2025

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:

Minnesota Department of Natural Resources, Lanesboro Fisheries
23785 Grosbeak Rd
Lanesboro, MN 55949

Federal Permitting Agency:

David Studenski
U.S. Army Corps of Engineers
332 Minnesota St, Suite E1500
St. Paul, MN 55101

Project name and location (county):

DNR Fisheries Lanesboro Office 2025 Projects
Fillmore, Houston, Wabasha, Winona Counties

MPCA contact person:

Kirsten Barta
Resource Management and Assistance Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
Phone: 651-757-2827
Email: Kirsten.barta@state.mn.us

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: Root River/Mississippi River - Winona

Description of Issuance for 401 Water Quality Certification for MN DNR Lanesboro Fisheries Office 2025 Habitat Projects

Activities range from repair of existing bank stabilization projects to installation of root wads and riffles for trout habitat enhancement and erosion management.

DNR proposes the following projects and associated impacts – see map for locations:

1. Winnebago Creek Meire (Houston County): 240 linear feet, 165 cubic yards fill – repair of a 2008 project
2. Winnebago Creek Moore and Loeffelholz (Houston County): 800 linear feet, 811 cubic yards fill – bank stabilization for habitat
3. Camp Hazard Creek Fish Hatchery (Fillmore County): 250 linear feet, 162 cubic yards fill – bank stabilization for habitat
4. Gribben Creek (Fillmore County): 380 linear feet, 184 cubic yards fill – repair of 1983 project
5. Wisel Creek (Fillmore County): 620 linear feet – maintenance of existing habitat practices
6. Pickwick/Big Trout Creek (Winona County): 255 linear feet, 123 cubic yards fill – repair of 1999 project
7. East Indian Creek (Wabasha County): 820 linear feet, 581 cubic yards fill – project repair
8. Duschee Creek (Fillmore County): 1,400 linear feet, 461 cubic yards fill – repair of 1998 project

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.