

### General information

**Public comment period begins: January 27, 2025**

**Public comment period ends: February 10, 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:**

Wayne Stevens, County Engineer  
Brown County Highway Depart.  
1901 North Jefferson Street  
New Ulm, Minnesota 56073

**Project name and location (county):**

County State Aid Highway 10 Bank  
Stabilization along Minnesota River  
Brown 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@state.mn.us

**Federal Permitting Agency:**

Tom Hayek, Jr.  
USACE Project Manager  
U.S. Army Corps of Engineers  
Regulatory Division, St. Paul District  
332 Minnesota St, 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: Minnesota River

### Description of Issuance for 401 Water Quality Certification for County State Aid Highway 10 Riverbank Stabilization along Minnesota River Project #2024-00340-TJH

The Brown County Highway Department proposes the permanent alteration of the south bank of the Minnesota River. The project is located 2.5 miles west of Trunk Highway (TH) 4 on County State Aid Highway (CSAH) 10 along the Minnesota River. The south bank of the Minnesota River has eroded into the right-of-way of CSAH 10 a few feet from the gravel edge of the roadway. The project will stabilize approximately 600 linear feet (9,000 square feet) of the riverbank by armoring with riprap, restoring the slope up the roadway recovery/clear zone, and to prevent future erosion. Riprap will be placed on a 2:1 slope from the toe of the river to approximately 25 feet above the normal river level. A geo-system will continue above the riprap of varying slope to the top of the slope and cable guardrail system will be re-installed along the recovery zone. The water quality standard for the Minnesota River will be improved or at the very least maintained after project completion. The proposed project will have no wetland impacts and hence no mitigation will be 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.