

General information

Public comment period begins: March 24, 2025

Public comment period ends: April 23, 2025

Name and address:

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Lake of the Woods County
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Baudette, MN 56623

Name and location:

Lake of the Woods County
Northwest Angle

MPCA contact person:

Lisa McCormick
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File manager phone: 651-757-2728 or
844-828-0942

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to deny the variance request submitted February 12, 2024, by Lake of the Woods County.

A preliminary determination and the submitted variance request are available on the MPCA Public Notices webpage at <https://www.pca.state.mn.us/get-engaged/public-comments>. The MPCA will mail or email a copy of the variance 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 U.S. Mail comments must be received by 4:30 p.m.

Receiving water: Lake of the Woods

Description

On February 16, 2024, Lake of the Woods (LOTW) County submitted a request for a variance from [Minn. R. Ch. 7082.0700 Subp. 4. B. \(1\)](#) to allow tanks to be inspected for watertightness while full of sewage. LOTW County's request is in accordance with procedures outlined in [Minn. R. Ch. 7082.0300. Subpart 1](#). Before granting a requested variance, the commissioner must find that by reason of exceptional circumstances, the strict enforcement or strict conformity with this chapter or public health or environmental standards would be unreasonable, impractical, or not feasible under the circumstances.

Applicability of the variance is requested to apply to the portion of LOTW County known as the Northwest Angle or Angle County. This geographical area includes all privately held lands within the county boundary located north of the 49th parallel; including 18 islands, which consists of 335 dwellings, 11 resorts, and 1 restaurant.

The Minnesota Pollution Control Agency (MPCA) issues this document to notify the public of the Commissioner's preliminary decision regarding the variance requested by the Lake of the Woods County. Lake of the Woods County has applied for a variance from Minn. R. 7082.0700, subp. 4.B.(1). Upon review of the documents, the Commissioner has made the preliminary determination that Lake of the Woods County has not satisfied the conditions necessary to grant the variance and as a result, the Commissioner has made the preliminary determination to deny the variance.

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 preliminary determination.
- 2) Petition the MPCA to hold a public informational meeting.
- 3) Petition the MPCA to hold a contested case hearing.

Submitting written comments

Comments may be submitted:

- 1) Online at <https://mpca.commentinput.com/comment/search>; or
- 2) By U.S. postal mail to the following address:
Lisa McCormick
Minnesota Pollution Control Agency
520 Lafayette Rd N
St. Paul, MN 55155

Submitted comments or petitions must state:

- 1) Your interest in the preliminary determination.
- 2) The action(s) you wish the MPCA to take, including specific references to the variance request or preliminary determination.
- 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 variance. 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.