

General information

Public comment period begins: March 17, 2025

Public comment period ends: March 31, 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: Brian Pogodzinski Houston County Highway Department 1124 East Washington Street Caledonia, MN 55921	Project name and location (county): Bee/Waterloo Creek Bridge #28561 Replacement Project, Houston 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: Sean Kelly USACE Project Manager U.S. Army Corps of Engineers St. Paul District, Brainerd Field Office 10867 East Gull Lake Drive Brainerd, MN 56401		

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: Upper Iowa River

Description of Issuance for 401 Water Quality Certification for Bee Creek (Waterloo Creek) Bridge #28561 Construction/Modification/Replacement Project #2024-00364-SRK

Houston County Highway Department proposes a bridge replacement located on Oakdale Drive over Bee Creek (also known as Waterloo Creek) a designated Class 2A water. The purpose of this project is to replace a structurally deficient bridge with a new bridge and improve a substandard approach alignment that will meet current design standards. During bridge replacement, any demolition debris will be captured before entering the waters or will be trapped in the floatation curtain or silt fence and removed before the project conclusion. The proposed project will armor the abutment in-slopes under the bridge with Class III riprap. Due to Bee Creek's status as a designated Class 2A water, this project will be coordinated with the Minnesota Department of Natural Resources to ensure minimal impacts to trout. No wetlands are expected to be impacted, and no mitigation is required. In addition, no permanent water quality impacts are anticipated after 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.