Notice of availability and request for comments on draft Mississippi River - Brainerd Area Watershed Restoration and Protection Strategies (WRAPS) Total Maximum Daily Load (TMDL) Reports

General information

Public comment period begins: June 1, 2020
Public comment period ends: 4:30 p.m. on July 1, 2020

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Draft reports for the Mississippi River - Brainerd Area WRAPS are available for review on the Minnesota Pollution Control Agency (MPCA) draft/public noticed TMDL and WRAPS webpage at https://www.pca.state.mn.us/water/total-maximum-daily-load-tmdl-projects, or at the MPCA office address listed under the MPCA contact person above. Following the comment period, the MPCA will revise the reports and submit the final TMDL to the U.S. Environmental Protection Agency (EPA) for approval. 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.

Watershed: 07010104 Mississippi River - Brainerd Major Watershed

Description of the Mississippi River - Brainerd Area WRAPS and TMDL Reports

These reports discuss the Mississippi River – Brainerd Area Watershed located in the north central region of Minnesota. This watershed drains approximately 1,682 square miles and spans portions of Aitkin, Crow Wing, Morrison, and Todd counties. Major cities within the watershed include Aitkin, Brainerd/Baxter, and Little Falls. There are many lakes and streams in the watershed, offering exceptional fishing, boating, and other recreational opportunities. These water resources are used by permanent residents, seasonal cabin owners, and resort patrons who contribute greatly to the local economy.

Required by the federal Clean Water Act, a TMDL is a scientific study, conducted on waters assessed to be impaired, that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. The TMDL study is a process that identifies all the sources of the pollutant causing an impairment and quantifies necessary reductions among the sources.

The WRAPS report is required by the state Clean Water Legacy Act and uses TMDL and other information to develop strategies for addressing point and nonpoint pollution sources. The objective of the WRAPS process is to develop strategies that not only restore impaired waters, but also protect the unimpaired waters from degradation. This report is a collaborative effort between the MPCA, other state agencies, local government partners, and other stakeholders.

Forty-one of the 46 uniquely identified and monitored stream/river reaches in the watershed were assessed in 2018. Of those, 16 do not support aquatic life and 9 do not support aquatic recreation. The streams that do not support recreation all show elevated bacteria concentrations. Seventy-four lakes fully supported aquatic recreation and 18 did not support aquatic recreation. Fifty-seven of the 61 lakes that were assessed for aquatic life supported the use; four lakes failed to meet the aquatic life standards.

Strategies for addressing the identified issues in the watershed include protecting and restoring lake and stream water quality by:
- preserving or establishing native vegetation;
- reducing stormwater runoff in urban areas and around lakes;
- managing livestock and associated wastes according to established rules and guidance;
- and restoring altered stream hydrology.

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 reports.
(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 email must state:

(1) Your interest in the draft TMDL or WRAPS reports.
(2) The action you wish the MPCA to take, including specific references to the section of the draft report(s) you believe should be changed. It is important to clearly specify which of the two reports the comments pertain to since the reports will proceed along separate tracks for final approval.
(3) The reason(s) 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 project. The 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.