

June 9, 2025

VIA EMAIL

To: Interested parties

RE: Zimmerman Wastewater Treatment Facility (WWTF) Upgrade and Expansion located in the City of Zimmerman, Sherburne County, Minnesota

The Minnesota Pollution Control Agency (MPCA) has approved the Findings of Fact (FOF), Conclusions of Law, and Order for a Negative Declaration on the need for an Environmental Impact Statement (EIS) on the Zimmerman Wastewater Treatment Facility Upgrade and Expansion (Project). The FOF document concludes that this project does not have the potential for significant environmental effects. The decision for a Negative Declaration completes the state environmental review process under Environmental Quality Board (EQB) rules, Minn. R. ch. 4410. Final governmental decisions on permits or approvals for the project may now be made.

The MPCA appreciates comments submitted on the Environmental Assessment Worksheet (EAW). The comments were considered by MPCA staff during the environmental review process and responses to these comments are provided in the FOF.

Interested parties can review the FOF and the EAW documents at the following locations: the MPCA office in Saint Paul; the Hennepin County Library at 300 Nicollet Mall, Minneapolis; and the Great River Regional Library at 1300 West Germain Street, St. Cloud, Minnesota. Interested parties can also view the documents on MPCA's website at: <https://www.pca.state.mn.us/business-with-us/recently-completed-mPCA-reviews>. Please contact the MPCA's Saint Paul office at 651-757-2098 for copies of these documents.

Sincerely,

Katrina Kessler

This document has been electronically signed.

Katrina Kessler, P.E.
Commissioner

KK/DH:rs/rm
Attachment

cc: See next page.

cc: Nancy Schuldt, Fond Du Lac Band of Lake Superior Chippewa (electronic) (w/attachment)
Grace Leppink-Walz, Fond Du Lac Band of Lake Superior Chippewa (electronic) (w/attachment)
Evan Schroeder, Fond Du Lac Band of Lake Superior Chippewa (electronic) (w/attachment)
Joshua Schroepe, Fond Du Lac Band of Lake Superior Chippewa (electronic) (w/attachment)
Elise McKeever, Fond Du Lac Band of Lake Superior Chippewa (electronic) (w/attachment)
Nicole Walker, Fond Du Lac Band of Lake Superior Chippewa (electronic) (w/attachment)
Allison Praet, NRCS Tribal Liaison (electronic) (w/attachment)
Kelly Applegate, Mille Lacs Band of Ojibwe (electronic) (w/attachment)
Susan Klapel, Mille Lacs Band of Ojibwe (electronic) (w/attachment)
Chad Weiss, Mille Lacs Band of Ojibwe (electronic) (w/attachment)
Perry Bunting, Mille Lacs Band of Ojibwe (electronic) (w/attachment)
Brian Steffen, NRCS Tribal Liaison (electronic) (w/attachment)
John Coleman, Great Lakes Fish and Wildlife Commission (electronic) (w/attachment)
Esteban Chiriboga, Great Lakes Fish and Wildlife Commission (electronic) (w/attachment)
Isaac Weston, Minnesota Indian Affairs Council (electronic) (w/attachment)
Molly Mehl, NRCS Tribal Liaison (electronic) (w/attachment)
Allison Smart, Tribal Liaison (electronic) (w/attachment)
Vanessa J. Alberto, Tribal Liaison (electronic) (w/attachment)
Scott Doig, Tribal Liaison (electronic) (w/attachment)
Melanie Nowin, Tribal Liaison (electronic) (w/attachment)
Walt Ford, Tribal Liaison (electronic) (w/attachment)
Jackie Dionne, Tribal Liaison (electronic) (w/attachment)
Ravyn Gibbs, Tribal Liaison (electronic) (w/attachment)
Bradley Harrington, Tribal Liaison (electronic) (w/attachment)
Levi Brown, Tribal Liaison (electronic) (w/attachment)
Bradley Harrington, Tribal Liaison (electronic) (w/attachment)
Shannon Kesner, Tribal Liaison (electronic) (w/attachment)
Melissa King, Tribal Liaison (electronic) (w/attachment)
Eric Meester, Nero Engineering (electronic) (w/attachment)
Zach Guttormson, Sherburne County (electronic) (w/attachment)
Kristina Bloomquist, City of Zimmerman (electronic) (w/attachment)
Kate Fairman, Minnesota Department of Natural Resources (electronic) (w/attachment)
Nicole Blasing, Minnesota Pollution Control Agency (w/attachment)
David Benke, Minnesota Pollution Control Agency (w/attachment)
Brian Timerson, Minnesota Pollution Control Agency (w/attachment)
Scott Lucas, Minnesota Pollution Control Agency (w/attachment)
Dan Card, Minnesota Pollution Control Agency (w/attachment)
David Sahli, Minnesota Pollution Control Agency (w/attachment)
Julie Henderson, Minnesota Pollution Control Agency (w/attachment)
Gabriel Posteuca, Minnesota Pollution Control Agency (w/attachment)
Jon Kolstad, Minnesota Pollution Control Agency (w/attachment)
Bruce Henningsgaard, Minnesota Pollution Control Agency (w/attachment)
Doree Husnik, Minnesota Pollution Control Agency (w/attachment)

**STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY**

**In The Matter Of The Decision
On The Need For An Environmental
Impact Statement For The Proposed
Zimmerman Wastewater Treatment Facility (WWTF)
Upgrade and Expansion Project located in the
City of Zimmerman, Sherburne County, Minnesota**

**FINDINGS OF FACT
CONCLUSIONS OF
LAW AND ORDER**

INTRODUCTION

Pursuant to Minn. ch. 4410, the Minnesota Pollution Control Agency (MPCA) staff prepared and distributed an Environmental Assessment Worksheet (EAW) for the proposed Zimmerman Wastewater Treatment Facility (WWTF) (Facility) in the City of Zimmerman, Sherburne County, Minnesota. Based on the MPCA staff environmental review, the EAW, comments, and information received during the comment period, and other information in the record of the MPCA, the MPCA hereby makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Project description

1. The City of Zimmerman (City) proposes to upgrade and expand the Facility within the existing property boundary area (Site) to treat an average wet weather flow (AWWF) of 0.866 million gallons per day (mgd) and discharge at the same location (Project) in Zimmerman, Sherburne County, Minnesota.
2. The City owns and operates the Facility permitted for an AWWF of 0.452 mgd that discharges treated wastewater to County Ditch 1. The Facility is approaching its design capacity and the lifespan of key equipment.
3. A National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Wastewater Permit Modification application was submitted to the MPCA and is currently being reviewed for issuance. Additional permits as reflected in Section C are required for the Project.

Procedural history

4. An EAW is a brief document designed to provide the basic facts necessary for the Responsible Governmental Unit (RGU) to determine whether an Environmental Impact Statement (EIS) is required for a proposed Project or to initiate the scoping process for an EIS (Minn. R. 4410.0200, subp. 24). The MPCA is the RGU for this Project.
5. Minn. R 4410.4300, subp. 1 requires preparation of an EAW for the Project because if the expansion and modification of an existing municipal wastewater treatment facility that results in an increase by 50 percent or more and by at least 200,000 gallons per day of the facilities average wet weather design flow capacity which exceeds the threshold identified in Minn. R. 4410.4300, subp. 18(C).

6. The MPCA provided public notice of the Project as follows:
 - The Environmental Quality Board (EQB) published the Notice of Availability of the EAW for public comment in the EQB Monitor on April 15, 2025, as required by Minn. R. 4410.1500.
 - The MPCA published the EAW for review on the MPCA website at:
<https://mpca.commentinput.com/comment/search>.
 - The MPCA provided a news release to media in Sherburne and Wright Counties, Minnesota and other state-wide interested parties, on April 15, 2025.
7. During the 30-day comment period on the EAW ending on May 15, 2025, the MPCA received comments from the Minnesota Department of Transportation (MNDOT) on April 16, 2025. There were no other comments.
8. On May 22, 2025, the MPCA requested and was granted approval from the EQB for a 15-day extension of the decision-making process on the need for an EIS for the Project in accordance with Minn. R. 4410.1700, subp. 2(B).
9. The list of comments received during the 30-day public comment period are included as Appendix A to these Findings. The MPCA prepared written responses to the comments received during the 30-day public comment period. These responses are included as Appendix A-B to these Findings.

The four criteria for determining the potential for significant environmental effects

10. The MPCA must base its decision on the need for an EIS on the information gathered during the EAW process and the comments received on the EAW (Minn. R. 4410.1700, subp. 3). The MPCA must order an EIS for projects that have potential for significant environmental effects (Minn. R. 4410.1700, subp. 1). In deciding whether a project has the potential for significant environmental effects, the MPCA must compare the impacts that may be reasonably expected to occur from the Project with the criteria set forth in Minn. R. 4410.1700, subp. 7. The four criteria are:
 - A. Type, extent, and reversibility of environmental effects.
 - B. Cumulative potential effects. The RGU shall consider the following factors:
 - whether the cumulative potential effect is significant;
 - whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect;
 - the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and
 - the efforts of the proposer to minimize the contributions from the project.
 - C. The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project.
 - D. The extent to which the environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

The MPCA Findings with respect to each of these criteria

A. Type, extent, and reversibility of environmental effects

11. The first criterion that the MPCA must consider when determining if a project has the potential for significant environmental effects is the “type, extent, and reversibility of environmental effects” (Minn. R. 4410.1700, subp. 7(A)). The MPCA Findings with respect to this criterion are set forth below.
12. The types of impacts that the MPCA anticipates may reasonably be expected to occur from the Project include the following:
 - Water quality impacts related to surface water and groundwater;
 - Wetlands; and
 - Greenhouse gas (GHG) emissions.
13. With respect to the extent and reversibility of impacts that are reasonably expected to occur from the Project, the MPCA makes the following Findings.

Water quality relating to surface water and groundwater

14. The Facility has a NPDES/SDS wastewater discharge permit for discharge County Ditch 1. The City applied for a NPDES/SDS Permit Modification. The Project would result in an increase to treat an AWWF of 0.866 mgd and discharge the wastewater to the same location. The MPCA is the permitting authority for the NPDES/SDS Permit and is reviewing the application for the Project.
15. The NPDES/SDS Permit would ensure the wastewater from this Facility can be discharged so the quality of surface waters, wetlands, and groundwater is protected.
16. Water treatment will continue to perform uninterruptedly and effluent limits to always be met. The Project is expected to improve the water quality of the receiving stream.
17. The Project is expected to improve the water quality of the receiving stream. The Project’s updated Facility is designed to meet the established effluent limits, permitted flows, and loadings.
18. The Project will be adhering to even stricter permitting and using more advanced technologies. The quality of water produced by the Project at higher flows is expected to dilute pollutants from other sources (drain tile, surface runoff) resulting in a net improvement of water quality from existing conditions.
19. Wastewater Treatment Facilities (WWTFs) are receivers of Per- and polyfluoroalkyl substances (PFAS). They receive PFAS daily from a variety of industrial, commercial and residential sources.
20. In 2021, the MPCA, along with other agencies, released Minnesota’s PFAS Blueprint¹ - a strategic, coordinated approach to reducing PFAS in the environment to protect families and communities.

¹Minnesota Pollution Control Agency, Minnesota’s PFAS Blueprint. Available at:
<https://www.pca.state.mn.us/sites/default/files/p-gen1-22.pdf>.

21. In March of 2022, the MPCA developed a PFAS Monitoring Plan. The PFAS Monitoring Plan addresses PFAS monitoring at several different types of industries including wastewater treatment plants.
22. The focus of the wastewater section of the PFAS Monitoring Plan² is to understand and minimize the landscape of PFAS influent source contributions and their concentrations. The Plan helps to identify where source reduction and elimination efforts are needed and measure the effectiveness of source reduction interventions such as prevention and mitigation strategies.
23. The Minnesota Department of Health (MDH) has been sampling for PFAS at community water systems (CWS) across Minnesota since 2021, and has, to date, sampled about 98% of those systems. The CWS nearest to the Project is in Zimmerman. The Zimmerman CWS, which uses groundwater as their primary drinking water source, has had no detections of PFAS greater than either Environmental Protection Agency's (EPA's) maximum contaminant levels (MCLs) or Minnesota Department of Health's (MDH's) health-based values (HBVs).
24. The MPCA is currently developing an NPDES/SDS permitting strategy for PFAS. No monitoring is required in the existing or reissued NPDES/SDS permit but monitoring for one or more PFAS compounds may be applied in future reissuances.
25. Stormwater runoff from the existing Site runs to County Ditch 1 and Tibbets Brook. Both streams will join together and flow into Elk River. Impervious surface area will increase by approximately 0.5 acres due to construction of new structures at the Site.
26. The City will obtain an NPDES/SDS General Construction Stormwater Permit for the Project and manage the stormwater runoff utilizing best management practices. These practices include the installation of silt fences, erosion control mats, bale checks, and minimizing interference with existing drainage routes.
27. There will be highly permeable soil between new impervious surfaces and the drainage streams, providing a buffer during stormwater events. The increased runoff will not have adverse impacts on the County Ditch 1 or other water resources.
28. A Department of Natural Resources (DNR) Water Appropriations Permit is not expected to be needed for dewatering during construction. The runoff and water collected from the sludge drying beds will be sent back to the head (beginning) of the plant. If any dewatering is needed during construction, the removed water will be sent to the head of the plant for treatment.
29. The DNR Water Appropriation Permit ensures management of water resources so that adequate supply is available for long-range seasonal requirements for domestic, agricultural, fish and wildlife, recreational, power, navigational, and water quality. The City would submit an application for a DNR Water Appropriation Permit if the water pumped exceeds 10,000 gallons in a day, or one million gallons in one year.

²Minnesota Pollution Control Agency, available online at: <https://www.pca.state.mn.us/sites/default/files/p-gen1-22b.pdf>.

30. The MPCA finds that information presented in the EAW and other information in the environmental review record are adequate to assess potential impacts of water quality relating to groundwater and surface water that are reasonably expected to occur from the Project.
31. The MPCA finds the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent and reversibility of impacts related to water quality, which are reasonably expected to occur.

Wetlands

32. A part of the Project will impact an area within a National Wetland Inventory (NWI) Seasonally Flooded Basin or Flat. A wetland delineation was completed by the City's consultant and determined Type 2 and Type 3 Wetlands existed at the Site.
33. The Site's information was reviewed by the Local Government Unit and the U.S. Army Corps of Engineers (USACE) for compliance with the Minnesota Wetland Conservation Act (WCA) and was determined to be jurisdictional with the USACE. If a USACE Section 404 permit is needed; then an MPCA Section 401 Water Quality (WQ) Certification would also be required.
34. The Project will follow construction sequencing to minimize and avoid wetland impacts. There is a replacement mitigation plan for impacted wetlands, which will be from a wetland bank within the same major watershed. The displaced wetland area will be the location of the new sludge dewatering sand drying beds.
35. The Project will not result in physical impacts or alterations to surface waters.
36. The MPCA finds that information presented in the EAW and other information in the environmental review record are adequate to assess potential impacts of wetlands that are reasonably expected to occur from the Project.
37. The MPCA finds the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent and reversibility of impacts related to wetlands, which are reasonably expected to occur.

Greenhouse gas (GHG) emissions

38. The MPCA considered GHG emission sources that are within the scope of the Project.
39. The Project will directly release GHG emissions, which can widely disperse within the atmosphere, and which vary both in terms of their global warming potential and their persistence in the atmosphere.
40. To provide a common unit of measure, the MPCA uses the individual global warming potential of methane and nitrous oxide to convert to carbon dioxide equivalency (CO₂e).
41. Greenhouse gas emissions can be categorized as Scope 1 emissions if they are direct emissions released from the Project area. Scope 2 emissions are indirect emissions generated from generation of electricity, while Scope 3 emissions are indirect emissions from upstream or downstream processes.

42. Using EPA emission factors, Scope 1 Construction Sources, Scope 1 Mobile Equipment Combustion, Scope 1 Stationary Equipment Combustion, Scope 1 Land Use Conversion, Scope 2 Market-based Off-site Electricity, Scope 3 Commuting Combustion, Scope 3 Mobile Equipment Upstream transportation and distribution, and Scope 3 Area Off-site waste management, the Project will release 373 tons of CO₂e during construction over the course of two years. Further, the Project will release an additional 471.4 tons per year (tpy) of CO₂e during operation.
43. CO₂ emitted to the atmosphere from combustion of biomass, such as wastewater treatment sludge, is considered biogenic CO₂ as defined in Table 4 of the Environmental Quality Board's EAW climate guidance and is considered carbon neutral.
44. The usage of the Membrane Bioreactor (MBR) Ultrafiltration process for treatment will allow the Facility to operate with higher solids content, maintaining lower ammonia and nitrate concentrations in the effluent. This will allow greater optimization of the operational conditions of the activated sludge system, minimizing the emissions of greenhouse gases.
45. The MBR process also receives disinfection credits from the MPCA that will allow elimination or reduced operation of the electrical ultraviolet lights used in the disinfection process.
46. The Project will upgrade the core aeration system from coarse bubble to fine bubble membranes which will substantially reduce the power required for providing oxygen to the system. The power for aeration is typically the largest power consumer of electricity in a wastewater facility.
47. The added process improvement with solids dewater capabilities will allow significantly reduced hauling volume and frequency, further reducing greenhouse gas production.
48. Minnesota's long-term renewable energy goals, which Xcel Energy is working towards complying with, will mitigate GHG gases.
49. The main source of GHG emissions reductions for the Facility may come from energy production by the power providers, such as Xcel Energy. The most favorable mitigation strategy is buying most, if not all of its energy as renewable energy, significantly mitigating the GHG impact of the Facility.
50. There are no Minnesota or National Ambient Air Quality Standards for GHGs.
51. Currently, there are no federal or Minnesota thresholds of GHG significance for determining impacts of GHG emissions from an individual project on global climate change.
52. In the absence of a threshold of GHG significance, the MPCA looks to existing regulation. Minn. R. 4410.4300, subp. 15(B), establishes a mandatory category requiring preparation of an EAW for stationary source facilities generating 100,000 tpy of GHGs. The purpose of an EAW is to assess environmental effects associated with a proposed project to aid in the determination of whether an EIS is needed. On the premise of GHG emissions, environmental review regulations establish 100,000 tpy as a "trigger" to prepare an EAW to aid in determining potential significant environmental effects. A reasonable conclusion is that the Project's total GHG emissions below 100,000 tpy are not significant.
53. The MPCA finds that information presented in the EAW and other information in the environmental review record are adequate to assess potential greenhouse gas emission impacts that are reasonably expected to occur to and from the Project.

54. The MPCA finds the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent and reversibility of impacts related to greenhouse gas emissions, which are reasonably expected to occur.

B. Cumulative potential effects

55. The second criterion that the MPCA must consider when determining if a project has the potential for significant environmental effects is the "cumulative potential effects." In making this determination, the MPCA must consider "whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effects; and the efforts of the proposer to minimize the contributions from the project." Minn. R. 4410.1700 subp.7(B). The MPCA findings with respect to this criterion are set forth below.
56. The EAW, public comments, and MPCA follow-up evaluation did not disclose any related or anticipated future projects that may interact with this Project in such a way as to result in significant cumulative potential environmental effects.

Cumulative effects – summary

57. The Project is in response to community growth in Zimmerman. The design of public infrastructure projects like wastewater treatment plants are with a long-range perspective. The Project is designed to meet the wastewater needs of the City through the year 2050.
58. The availability of additional treatment capacity could stimulate future residential and commercial development which could increase traffic, stormwater runoff, and solid waste generation. The City will need to regularly assess and address impacts that occur due to development. At this time, there are no known anticipated future projects that could interact with the Project to cause cumulative potential effects.
59. Based on information on the Project obtained from presented in the EAW, and consideration of potential effects due to related or expected future projects, the MPCA does not expect significant cumulative effects from this Project.
60. The MPCA finds the Project, as proposed, does not have the potential for significant environmental effects related to cumulative potential effects that are reasonably expected to occur.

C. The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority

61. The third criterion that the MPCA must consider when determining if a project has the potential for significant environmental effects is "the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project." Minn. R. 4410.1700, subp. 7(C). The MPCA findings with respect to this criterion are set forth below.

62. The following permits or approvals will be required for the Project:

Unit of Government	Permit or approval required
Minnesota Pollution Control Agency (MPCA)	NPDES/SDS Wastewater Permit Modification
	NPDES/SDS (General Construction Stormwater Permit)
	Effluent Limits and Antidegradation Review
	Facility Plan
	Wastewater Treatment Facility (WWTF) Plans and Specifications
	Section 401 Water Quality Certification (To be determined; if USACE Section 404 permit is required, MPCA Section 401 Water Quality Certification would also be required)
U.S. Army Corps of Engineers (USACE)	Section 404 Standard Individual Permit (To be determined)
Public Facilities Authority	Funding Application
Minnesota Department of Natural Resources (MDNR)	Water Appropriation Permit and Construction Dewatering (Will be submitted if needed)
City of Zimmerman	Conditional Use Permit (CUP)

Below are numbered paragraphs describing each permit listed above, including special conditions.

63. **NPDES/SDS Wastewater Permit.** A NPDES/SDS Wastewater Permit is required if construction groundwater dewatering discharge is contaminated and not routed through the plant but directly discharged. The purpose of the permit is to identify conditions under which industrial stormwater can be discharged so that the quality of surface waters, wetlands, and groundwater is protected. The permit requires a stormwater pollution prevention plan (SWPPP) that provides details of best management practices to be implemented.
64. **Construction Stormwater.** A NPDES/SDS Construction Stormwater Permit (CSW permit) is required when a project disturbs one acre or more of soil. The CSW permit requires the use of best management practices to prevent erosion and to keep eroded sediment from leaving the construction site and requires projects that create one acre or more of new impervious surface to provide permanent treatment of stormwater runoff. The project proposer must have a SWPPP that provides details of the specific measures to be implemented.
65. **Effluent Limits and Antidegradation Review.** An Effluent Limits and Antidegradation Review is required when a permit application is made for a regulated activity that is anticipated to result in a net increase in loading or other causes of degradation waters of the state. Antidegradation rules exist to protect, maintain and achieve high quality surface water by protecting the existing uses and water quality. Antidegradation requirements are implemented through the issuance and enforcement of NPDES permits and other control documents issued by the MPCA which regulate surface water pollution.
66. **Facility Plan.** A Facility Plan is required to analyze the physical conditions of the existing Facility and discuss various alternatives for bringing the Facility into compliance with state and federal water quality regulations.
67. **WWTF Plans and Specifications.** WWTF Plans and Specifications must be submitted for the Project to the MPCA for technical review and approval. This review is performed to ensure that the Facility design is consistent with good engineering practice and state and federal criteria.

68. **Section 401 Quality Certification.** Section 401 of the Clean Water Act is designed to ensure that the federal government does not issue a permit or license for a project that will result in a violation of the state water quality standards set under the Clean Water Act in Waters of the United States (WOTUS). Minnesota's state water quality standards set conditions that must exist in order to protect drinking water, a healthy aquatic community, and recreational uses. When a project that will impact WOTUS in Minnesota requires a federal Section 404 permit, the MPCA reviews the project under Section 401 to ensure that it will not violate the more restrictive water quality standards that the MPCA has established for that body of water.
69. **Section 404 Standard Individual Permit.** The USACE general permit provides language describing procedures and permissions regarding excavation in wetlands and placement of excavated materials into the waters of the United States or their associated wetlands.
70. **Funding Application.** The Project is in the Project Priority List and meets the necessary requirements, to apply for funding from the Clean Water Revolving Fund and Point Source Implementation Grants. The Clean Water Revolving Fund, also known as the Clean Water State Revolving Fund (SRF), is established under the federal Clean Water Act and state law to make loans for both point source and nonpoint source water pollution control projects.
71. **Water Appropriation Permit.** The DNR Water Appropriation Permit may be required for dewatering if more than 10,000 gallons per day or one million gallons.
72. **County Conditional Use Permit.** The proposer is required to obtain all required building and conditional use permits required by local units of government to ensure compliance with local ordinances. The conditional use permit will address local zoning, environmental, regulatory, and other requirements that are needed to avoid adverse effects on adjacent land uses.
73. The above-listed permits include general and specific requirements for mitigation of environmental effects of the Project. The MPCA finds that the environmental effects of the Project are subject to mitigation, as explained in these Findings and the EAW, by ongoing public regulatory authority.

D. The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the Project Proposer, including other EISs

74. The fourth criterion that the MPCA must consider is "the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs," Minn. R. 4410.1700, subp. 7(D). The MPCA Findings with respect to this criterion are set forth below.
75. Although not exhaustive, the MPCA reviewed the following documents as part of the environmental impact analysis for the proposed Project:
- Data presented in the EAW.
 - Permits and environmental review of similar projects.
76. The MPCA also relies on information provided by the City of Zimmerman, persons commenting on the EAW, staff experience, and other available information obtained by staff.

77. The environmental effects of the Project have been addressed by the design and permit development processes, and by ensuring conformance with regional and local plans. No elements of the Project pose the potential for significant environmental effects that are not addressed or mitigated by the requirements of the permits listed above or in the EAW.
78. Based on the environmental review, previous environmental studies by public agencies or the project proposer, and staff expertise and experience on similar projects, the MPCA finds that the environmental effects of the Project that are reasonably expected to occur can be anticipated and controlled.
79. The MPCA adopts the rationale stated in the attached Response to Comments (Appendix A) as the basis for response to any issues not specifically addressed in these Findings.

CONCLUSIONS OF LAW

80. The MPCA has jurisdiction in determining the need for an EIS for this Project. The EAW, the permit development process, and the evidence in the record are adequate to support a reasoned decision regarding the potential significant environmental effects that are reasonably expected to occur from this Project.
81. The MPCA identified areas for potential significant environmental effects. The Project design and permits ensure the City of Zimmerman will take appropriate mitigation measures to address significant effects. The MPCA expects the Project to comply with all environmental rules, regulations, and standards.
82. Based on a comparison of the impacts that are reasonably expected to occur from the Project with the criteria established in Minn. R. 4410.1700 subp. 7, the Project does not have the potential for significant environmental effects.
83. An EIS is not required for the proposed Zimmerman Wastewater Treatment Facility Upgrade and Expansion Project.
84. Any Findings that might properly be termed conclusions and any conclusions that might properly be termed Findings are hereby adopted as such.

ORDER

The Minnesota Pollution Control Agency determines that there are no potential significant environmental effects reasonably expected to occur from the Zimmerman Wastewater Treatment Facility and that there is no need for an Environmental Impact Statement.

IT IS SO ORDERED

June 9, 2025

Date signed

Katrina Kessler

This document has been electronically signed.

Katrina Kessler
Commissioner
Minnesota Pollution Control Agency

Appendix A

Minnesota Pollution Control Agency

Zimmerman Wastewater Treatment Facility Upgrade and Expansion Project Environmental Assessment Worksheet (EAW)

List of comment letters received

1. Tom Cruikshank, Minnesota Department of Transportation. Letter received April 16, 2025.

Responses to comments on the EAW

1. Comments by Tom Cruikshank, Minnesota Department of Transportation. Letter received April 16, 2025.

Comment 1-1: MnDOT District 3 staff received this notice of an EAW for the Zimmerman Wastewater Treatment Facility Expansion project. This project does not have a direct impact on MnDOT highways or rights-of-way, thus we would not have any comment to provide on the EAW. Please reach out if you feel otherwise or need any other assistance.

Response: No response required.

MnDOT District 3

MnDOT District 3 staff received this notice of an EAW for the Zimmerman Wastewater Treatment Facility Expansion project. This project does not have a direct impact on MnDOT highways or rights-of-way, thus we would not have any comment to provide on the EAW. Please reach out if you feel otherwise or need any other assistance.