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July 21, 2026

VIA EMAIL

To: Interested parties

RE: Dayton Transfer Station Environmental Assessment Worksheet

The Minnesota Pollution Control Agency (MPCA) has approved the Findings of Fact, Conclusions of Law, and Order for a Negative Declaration (FOF) on the need for an Environmental Impact Statement (EIS) on the Dayton Transfer Station EAW (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 and the Hennepin County Library at 300 Nicollet Mall, Minneapolis. 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 651-296-6300 for copies of these documents.

Sincerely,

A handwritten signature in blue ink that reads 'Katrina Kessler'.

Katrina Kessler, P.E.
Commissioner

KH/AM:kj

Attachment

cc: See next page.

Interested parties

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cc: Brian Scheinost, Mille Lacs Band of Ojibwe (electronic)(w/attachment)
Tony Pike, Mille Lacs Band of Ojibwe (electronic)(w/attachment)
Mike Wilson, Mille Lacs Band of Ojibwe (electronic)(w/attachment)
Brian Steffen, NRCS Tribal Liaison (electronic)(w/attachment)
Molly Mehl, NRCS Tribal Liaison (electronic)(w/attachment)
Vanessa Alberto, Tribal Liaison (electronic)(w/attachment)
Nancy Komulainen-Dillenburg, Tribal Liaison (electronic)(w/attachment)
Melanie Nowin, Tribal Liaison (electronic)(w/attachment)
Allison Smart, Tribal Liaison (electronic)(w/attachment)
Walt Ford, Tribal Liaison (electronic)(w/attachment)
Jolynn Shopteese, Tribal Liaison (electronic)(w/attachment)
Jackie Dionne, Tribal Liaison (electronic)(w/attachment)
Chase Christopherson, Tribal Liaison (electronic)(w/attachment)
Ravyn Gibbs, Tribal Liaison (electronic)(w/attachment)
Bradley Harrington, Tribal Liaison (electronic)(w/attachment)
Mat Pendleton, Tribal Liaison (electronic)(w/attachment)
James Clark, Tribal Liaison (electronic)(w/attachment)
Levi Brown, Tribal Liaison (electronic)(w/attachment)
Shannon Kesner, Tribal Liaison (w/attachment)
Amanda Wold, Tribal Liaison (w/attachment)
Melissa King, Tribal Liaison (electronic)(w/attachment)
Isaac Weston, Minnesota Indian Affairs Council (w/ attachment)
Matt Herman, Curbside Waste, Inc. (electronic)(w/attachment)
Lucas Wandrie, Consultant (electronic)(w/attachment)
Jennefer Klennert, Consultant (electronic)(w/attachment)
Kate Fairman, Minnesota Department of Natural Resources (w/ attachment)
Dan Card, MPCA (w/attachment)
Nicole Peterson, MPCA (w/attachment)
Beth Gawrys, MPCA (w/attachment)
Brandon Smith, MPCA (w/attachment)
Audrey Maass, MPCA (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
Dayton Transfer Station
Located in the City of Dayton, Hennepin 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 Curbside Waste Inc. Dayton Transfer Station (Project) in the City of Dayton, Hennepin County, Minnesota. Based on the MPCA staff environmental review, the EAW, 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. Curbside Waste Inc. (Curbside) proposes to convert from collecting yard waste at the existing transfer station (Facility) to construction and demolition (C&D) debris, municipal solid waste (MSW), recycling, and source separated organics (food waste), in addition to yard waste currently transferred at the Project, resulting in up to 500,000 cubic yards/year of waste material being transferred through the Facility in the City of Dayton, Hennepin County, Minnesota (Project).
2. The Project will not increase the footprint of the existing permitted facility.

Procedural History

3. 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 Project or to initiate the scoping process for an EIS (Minn. R. 4410.0200, subp. 24). The MPCA is the RGU for this Project.
4. Minn. R. 4410.4300, subp. 1 requires preparation of an EAW for the Project because the Project involves the construction of a mixed municipal solid waste land disposal facility over the threshold identified in Minn. R. 4410.4300, subp. 17 (C).
5. 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 May 5, 2026, 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 Hennepin County Minnesota, and other state-wide interested parties, on May 5, 2026.
6. During the 30-day comment period on the EAW ending on June 6, 2026, the MPCA received comments from the City of Dayton and Metropolitan Council and one public letter that was out of scope. Commenters raised seven issues concerning information that was not included in the EAW

published in the EQB Monitor on May 5, 2026, or that required additional analysis by MPCA staff. Findings of Fact item 14 below address these issues.

7. On June 8, 2026, the MPCA requested and received approval from the EQB for a 15-day extension of the decision-making process on the need for an Environmental Impact Statement (EIS) for the Project, extending that to July 6, 2026, in accordance with Minn. R. 4410.1700, subp. 2(B).
8. The list of comments received during the 30-day public comment period is in Appendix A to these Findings. The MPCA prepared written responses to the comments received during the 30-day public comment period included as Appendix B to these Findings. An Errata Sheet is in Appendix C to these Findings.

The Four Criteria for Determining the Potential for Significant Environmental Effects

9. 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

10. The first criterion 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.
11. The types of impacts the MPCA anticipates may reasonably be expected to occur from the Project include the following:
 - Traffic;

- Dust; and
- Noise.

12. Written comments received during the comment period raised additional issues, as follows:

- Land Use;
- Water Resources;
- Odor;
- Visual; and
- Fire Suppression.

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:

13.1 Traffic

13.1.1 There are approximately 103 to 144 vehicles accessing the Facility throughout the day. Sources of traffic include employees and trucks delivering waste to or transporting waste from the Facility.

13.1.2 There is no anticipated change in the number of vehicles accessing the Facility each day.

13.1.3 The Project will facilitate an increase in processing capacity of outsourced mixed municipal solid waste, C&D waste, yard waste, source separated organics, and recycling; however, the waste will be loaded into compactor trailers that can accommodate more storage than the trailers previously used.

13.1.4 The Project will not result in a significant increase in truck traffic.

13.1.5 The MPCA finds information presented in the EAW and other information in the environmental review record are adequate to assess potential traffic, which are reasonably expected to occur to and from the Project.

13.1.6 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 traffic, which are reasonably expected to occur.

13.2 Dust

13.2.1 Potential sources of dust at the Facility include waste processing operations and the trucks transporting waste to and from the Facility. Waste processing operations occur within the building, minimizing the potential for dust outside.

13.2.2 Dust control measures include six rolling doors which can be closed as needed to prevent the escape of dust generated from the waste materials being unloaded and moved on the tipping floor.

13.2.3 Paved operational areas, driveways, and parking at the Facility reduce the potential for dust emissions. The Project is not expected to significantly increase dust from current conditions.

13.2.4 The MPCA finds information presented in the EAW and other information in the environmental review record is adequate to assess potential impacts to dust expected to occur from the Project.

- 13.2.5 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 dust, which are reasonably expected to occur.

13.3 Noise

- 13.3.1 Noise generated at the Facility is limited to truck traffic delivering or transporting waste.
- 13.3.2 All waste processing takes place within the Facility, which mitigates most noise.
- 13.3.3 The Facility is zoned as heavy industrial and must comply with its noise area classification standards for decibel limits as defined in Minn. R. 7030.0040.
- 13.3.4 The Conditional Use Permit (CUP) from the City of Dayton limits the hours of operation to 7 a.m. to 7 p.m. weekdays. The hours of operation at the Facility will not change.
- 13.3.5 The Project will not result in a significant increase in traffic.
- 13.3.6 A measurable increase in noise generated at the Facility is not expected.
- 13.3.7 The MPCA finds information presented in the EAW and other information in the environmental review record is adequate to assess potential impacts of noise, which are expected to occur from the Project.
- 13.3.8 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 noise, which are reasonably expected to occur.

14. Written public comment received during the comment period raised additional issues, as follows:

14.1 Impacts related to land use

- 14.1.1 Curbside has already constructed the Facility, and no new construction or modifications are necessary for the Project.
- 14.1.2 The Facility's existing land use is predominantly industrial (10.2-acre existing transfer station and associated infrastructure, 3.4-acre wetland, 0.5-acre stormwater pond).
- 14.1.3 The MPCA finds that information presented in the EAW and other information in the environmental review record is adequate to address the concerns related to impacts to land use. The impacts from land use that are reasonably expected to occur from the Project have been considered during the review process and methods to prevent significant adverse impacts have been developed.
- 14.1.4 The MPCA finds that the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent and reversibility of impacts related to land use that are reasonably expected to occur from the Project.

14.2 Impacts related to water resources

- 14.2.1 The Proposer is required to have a National Pollutant Discharge Elimination System (NPDES) Permit.
- 14.2.2 There are no lakes, streams, intermittent channels, county/judicial ditches, or special designation surficial water features within or immediately adjacent to the Project.

- 14.2.3 There is an impaired stream within one mile of the Project¹ (Diamond Creek: Public Waters Inventory Number 27013a) with total maximum daily loads (TMDLs) for dissolved oxygen, *Escherichia coli*, and fish bioassessments and six public water basins, based on the MPCA's 2024 list.
- 14.2.4 Curbside has already constructed the Facility, and no new construction or modifications are necessary for the Project. As such, the Project will not drain, fill, inundate, dredge, or remove vegetation from wetland areas. The Project will not impact the 3.2-acre wetland within the Project.
- 14.2.5 The MPCA finds that information presented in the EAW and other information in the environmental review record is adequate to address the concerns related to impacts to water resources. The impacts to water resources that are reasonably expected to occur from the Project have been considered during the review process and methods to prevent significant adverse impacts have been developed.
- 14.2.6 The MPCA finds that 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 resources that are reasonably expected to occur from the Project.
- 14.3 Impacts related to odor
- 14.3.1 The Proposer will manage odors and litter by moving material through the Facility as quickly as possible.
- 14.3.2 The Proposer will install full coverage doors in all six openings to the Facility, which will reduce odor and litter concerns.
- 14.3.3 The Proposer will comply with Minnesota Administrative Rule 7035.2870 Subp. 5H, which requires transfer station floors be cleared every seven days.
- 14.3.4 The MPCA finds that information presented in the EAW and other information in the environmental review record is adequate to address the concerns related to odor from the Project. The impacts from odor that are reasonably expected to occur from the Project have been considered during the review process and methods to prevent significant adverse impacts have been developed.
- 14.3.5 The MPCA finds that the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent and reversibility of impacts related to odor that are reasonably expected to occur from the Project.
- 14.4 Impacts related to visual
- 14.4.1 The Facility and associated infrastructure are already built with no modifications planned as part of the Project.
- 14.4.2 The Project would be consistent with the surrounding industrial and agricultural uses. Therefore no additional visual impacts would occur because of the Project.

¹ Minnesota Department of Natural Resources. 2025. Public Waters (PW) Basin and Watercourse Delineations. GIS data available at:
https://www.dnr.state.mn.us/waters/watermgmt_section/pwi/maps_metro.html

- 14.4.3 The MPCA finds that information presented in the EAW and other information in the environmental review record is adequate to address the concerns related to visual impacts. The visual impacts that are reasonably expected to occur from the Project have been considered during the review process and methods to prevent significant adverse impacts have been developed.
- 14.4.4 The MPCA finds that the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent and reversibility of impacts related to visual impacts that are reasonably expected to occur from the Project.
- 14.5 Impacts related to fire suppression
 - 14.5.1 The transfer station is plumbed for a water-based fire protection system, which the Proposer has not designed or installed at this time.
 - 14.5.2 The Proposer will work with the Dayton Fire Chief and other experts to design and implement a suitable fire suppression system that could provide additional fire suppression support or replace the traditional water-based deluge system.
 - 14.5.3 The MPCA finds that information presented in the EAW and other information in the environmental review record is adequate to address the concerns related to fire suppression. The impacts from fire suppression that are reasonably expected to occur from the Project have been considered during the review process and methods to prevent significant adverse impacts have been developed.
 - 14.5.4 The MPCA finds that the Project, as proposed, does not have the potential for significant environmental effects based on the type, extent and reversibility of impacts related to fire suppression that are reasonably expected to occur from the Project.

B. Cumulative Potential Effects

- 13. The second criterion 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 effect; 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.
- 14. The EAW, public comments, and the 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.
- 15. The MPCA finds the information presented in the EAW and other information in the environmental review record does not demonstrate that the Project has the potential for significant environmental effects. There are no proposed changes in the existing conditions related to land use, soil, geology, water resources, noise, odors, or traffic.
- 16. Therefore, the MPCA finds the Project is not expected to contribute significantly to adverse cumulative potential effects.

Cumulative Effects Summary

17. Based on information on the Project obtained from EAW, and consideration of potential effects due to related or anticipated future projects, the MPCA does not expect significant cumulative effects from this Project.
18. 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

19. The third criterion 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.
20. The following permits or approvals will be required for the Project.

Permits and approvals.

Unit of Government	Type of application	Status
Minnesota Pollution Control Agency (MPCA) MPCA	National Pollutant Discharge Elimination System (NPDES) Permit	Granted on May 10, 2023. Permit Number: C00066674.
	Permit-by-Rule	Application Submitted PBR001457
State Historic Preservation Office Review	Archaeological /Historic Review	Phase 1 Archeological Survey Final Report published on May 17, 2021.
City of Dayton	Development of an Industrially Guided Property including Eleven Application Requests for Master Family Investments	Approved and adopted on 11/22/2022. Resolution Number: 79-2022.
	Permit-By-Rule Notification Form	Acknowledged
	Wetland Conservation Act (Boundary Approval) Notice of Decision	Notice of City of Dayton approval of a WCA Application for Wetland Boundary and Type was sent on 9/15/2020.
	Granting Final Plat Approval of an Industrially Guided Property for Master Real Estate 2	Approved and adopted on 2/28/2023. Resolution Number 06-2023.
	Non-Residential New Construction	Approved on 11/6/2023. Permit Number: P2023-01034
	Non-Residential Plumbing Permit	Approved on 11/3/2023. Permit Number: P2023-01038
	Water Connection Permit	Approved on 6/10/2024. Permit Number: P2024-00500

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

21. **NPDES/SDS Industrial Stormwater General permit.** Certain dischargers of industrial stormwater must have an ISW permit. 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.
22. **MPCA Transfer Facility Permit.** The Proposer is responsible for submitting engineering plans and managing the facility in accordance with the final permit requirements which would regulate, among other things, waste storage and containment, operations, monitoring and reporting.
23. **State Historic Preservation Office (SHPO) Concurrence on Findings of Cultural Resources Impacts.** The SHPO provides concurrence of the cultural resources survey for the Project. State laws require state agencies and departments, as well as political subdivisions of the state (counties, townships, cities, etc.), to consult with the SHPO regarding non-federal, publicly funded projects that have the potential to affect designated historic properties and significant archaeological sites. The consultation includes determining if a significant site exists within the Project and advise on ways to avoid, reduce, or mitigate any adverse effects on those properties.
24. **City of Dayton Land Use and Development Application.** A formal request submitted to a local government (such as a city or county planning department) for permission to build, alter, or change the designated purpose of a property. Local land use authorities (e.g., Planning Commissions or City Councils) evaluate the application against the municipality's comprehensive plan and zoning ordinances. The process often involves public hearings to allow community feedback before an application is approved, denied, or modified.
25. **Certificate of Wetland Conservation Act (WCA) - Wetland Boundary and Type.** A Certificate of Wetland Boundary and Type under the Minnesota Wetland Conservation Act (WCA) verifies the precise location and classification of a wetland. This certificate is crucial for determining the extent of wetland areas and the type of wetland present, which directly impacts regulations and potential impacts from development activities. It ensures compliance with WCA requirements, which aim to protect wetland resources.
26. **Final Plat Review.** A preliminary plat review evaluates the overall layout of a proposed subdivision, including lot lines, street patterns, and utilities, to ensure it complies with local regulations and standards. A final plat review examines the detailed engineering plans for the subdivision, ensuring it aligns with the approved preliminary plat and includes all necessary infrastructure and construction details.
27. **Site Plan Permit.** A Site Plan permit demonstrates how a proposed construction project will be situated on a property, ensuring compliance with local zoning laws and regulations. It provides a detailed map of the property, including existing and proposed structures, property lines, setbacks, and other relevant features. Authorities use the site plan to verify that the project meets standards for health, safety, and land use.
28. **City Plumbing and Connection Permit.** This City permit will allow a new industrial discharge to the City's wastewater treatment facility.
29. The above-listed permits include general and specific requirements for mitigation of environmental effects of the Project. The MPCA finds 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

30. The fourth criterion 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.
31. Although not exhaustive, the MPCA reviewed the following documents as part of the environmental impact analysis for the Project:
- Data presented in the EAW and,
 - permits and environmental review of similar projects.
32. The MPCA also relies on information provided by the Proposer, people commenting on the EAW, staff experience, and other available information obtained by staff.
33. 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.
34. Based on the environmental review, previous environmental studies by public agencies and staff expertise and experience on similar projects, the MPCA finds the environmental effects of the Project reasonably expected to occur can be anticipated and controlled.

CONCLUSIONS OF LAW

35. The MPCA has jurisdiction in determining the need for an EIS for this Project. Minn. R. 4410.4300, subp. 1. 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 reasonably expected to occur from this Project.
36. The MPCA identified areas for potential significant environmental effects. The Project design and permits ensure the Proposer will take appropriate mitigation measures to address potentially significant effects. The MPCA expects the Project to comply with all environmental rules, regulations, and standards.
37. Based on a comparison of the impacts 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.
38. An EIS is not required for the proposed Curbside Waste Inc. Project.
39. Any Findings that might properly be termed conclusions and any conclusions that might properly be termed Findings are hereby adopted as such.

On the Need for an Environmental Impact Statement
Curbside Waste Inc. Project
Located in the City of Dayton, Hennepin County, Minnesota

Findings of Fact
Conclusions of Law
and Order

ORDER

40. The Minnesota Pollution Control Agency determines that there are no potential significant environmental effects reasonably expected to occur from the proposed Curbside Waste Inc. Project and that there is no need for an Environmental Impact Statement.

IT IS SO ORDERED

July 21, 2026

Date signed



Katrina Kessler, P.E.

Commissioner

Minnesota Pollution Control Agency

Appendix A

Minnesota Pollution Control Agency Dayton Transfer Station EAW

List of comment letters received

1. Angela R. Torres, Metropolitan Council. Letter received June 3, 2026.
2. Jon Sevald, City of Dayton. Letter Received June 1, 2026.
3. Parker Theisen. Letter received May 12, 2026.

Appendix B

**Minnesota Pollution Control Agency
Dayton Transfer Station
Environmental Assessment Worksheet (EAW)**

Responses to comments on the EAW

1. Comments by Angela R. Torres, Metropolitan Council. Letter received June 3, 2026.

Comment 1-1: The discussion of projected climate trends is adequate and, while identified trends may not directly impact the waste materials, there are opportunities to adapt the site to the identified climate trends. For example, the project proposer should consider the impact of increased frequency freeze-thaw cycles on the project area and consider adopting a chloride management plan to minimize the impact of increased salting on nearby water resources. Additionally, the project proposer could replace existing vegetation around the stormwater pond with climate adapted plantings, preferably native plant varieties, to adapt to the identified drought risk.

Response: Comment noted. This information will be passed on to Curbside Waste Inc.

Comment 1-2: There is one planned unit of the Regional Parks and Trails System in the vicinity of the project. The planned Diamond Lake Regional Trail (Three Rivers Park District) is approximately 0.2-mile east of the project area, on the opposite side of West French Lake Road.

The Diamond Lake Regional Trail has a 2022 Metropolitan Council-approved long-range plan at [40ed1720fac272b3daf26992453802da_061622_Diamond_Lake_Regional_Trail_Master_Plan_updated.pdf](#). Trail segment A3 is planned closest to the proposed project site (LRP pgs. 71-72).

According to the EAW, “there would be no significant increase in traffic to or from the Project Area if the Project were permitted to accept non-yard waste materials...” (EAW, pg. 4). Regarding odor and litter control, “Curbside will install full coverage doors in all six openings to the transfer station, which will reduce odor and litter concerns” (EAW pg. 5).

The proposed project should not adversely affect the Diamond Lake Regional Trail or the Regional Parks and Trails System more broadly. As with any project proposed in the vicinity of a regional park or trail, Council Parks and Trails staff encourage the proposer (Curbside Waste Inc.) to coordinate with the regional park implementing agency (Three Rivers Park District) to establish clear lines of communication to address any future issues

Response: Comment noted. This information will be passed on to Curbside Waste Inc.

Comment 1-3: Consider including information in the EAW regarding whether a Stormwater Pollution Prevention Plan (SWPPP) has been prepared for this project and, if applicable, appending it as a supporting document. Additionally, given the proposed changes to the volume and type of waste accepted at this facility, consider including more information on how MSW leachate that accumulates on the tipping floor will be managed and discharged appropriately.

Response: Comment noted. Curbside will comply with Minnesota Administrative Rule 7035.2870 subp. 5H, which requires that transfer station floors be cleared every seven days. Curbside does not have a transfer station floor cleaning protocol currently. However, they do have a small floor sweeper that may be used to clean the transfer station floor. Curbside would dispose of water from the floor sweeper down a municipal drain at the wash bay and pass through the oil/water separator before entering the wastewater line. Waste should be stored/managed in a way that no stormwater should come into contact with it in accordance with Minn. R. 7035.2870, subp. 5.C.

2. Jon Sevald, City of Dayton. Letter Received June 1, 2026

Comment 2-1: The Dayton City Code allows *Commercial and Residential Yard Waste Transfer Station* as a Conditional Use in the I-1 Industrial district and does not permit other types of wastes Curbside proposes. Curbside will be required to apply to amend the Zoning Code to allow other types of wastes to be processed and apply for a Conditional Use Permit for a Transfer Station to process those wastes. The City Council is not supportive of adding outsourced mixed municipal solid waste, and source separated organics.

Response: Comment noted. This information will be passed on to Curbside Waste Inc.

Comment 2-2: The City understands the Project will transition from the current waste handling (yard waste) to a broader category of waste handling.

- The Project involves expanding the facility's use from fleet storage/dispatch for 56 Curbside trucks and limited yard waste handling (April to November) to transferring up to 500,000 cubic yards/year of outsourced mixed municipal solid waste, construction and demolition waste, yard waste, source separated organics and single stream recycling.
- With this transition, Curbside acknowledges their ability to receive and transport different waste types and their flexibility to continue collecting and responsibly managing waste materials and expand processing volume to help meet the waste removal needs of residents in the Metropolitan Area in an uncertain future (as described in detail in EAW Item 6d).

Response: Comment noted.

Comment 2-3: As it pertains to the City's review and consideration of the topics and categories outlined in the EAW form, the City provides the following: The city is concerned about an increase in; traffic, days & hours of operation, odor, and debris.

Response: Comment noted.

Comment 2-4: As it pertains to the City's review and consideration of the topics and categories outlined in the EAW form, the City provides the following:

- Curbside would manage their operations around the seasonality of yard waste, maintaining consistent number of trucks and overall material handling throughout the year.
- The existing footprint would accommodate the Project and not require external construction or building expansion to process more material types or volume of materials. With the facility infrastructure built and operational, no further excavation or grading activities are planned for

the Project. Existing impermeable concrete and asphalt surfaces would be used vehicles and equipment. Curbside is not planning for any soil disturbance.

- The current collection and delivery of yard waste, from a combination of Curbside trucks and other company trucks from the surrounding area, results in a temporary collection of yard waste on the facilities “tipping-floor” before it is transferred to semi-trailers and delivered to the Vonco compost site in Becker, MN at a rate of two to three transfer loads per day. With current operations, little to no material is left on tipping floor overnight.
- No changes are planned for domestic water use (connected to City of Dayton municipal water system).

Response: Comment noted.

Comment 2-5: As it pertains to potential visual impacts and odors:

- Curbside staff would receive environmental/compliance training regarding the proper disposal of waste.
- Curbside states that full coverage doors would be installed to provide full overage doors on all six openings to the transfer station.

Response: Comment noted.

Comment 2-6: It appears there may have been a typo in the following portion of this sentence in Item 13b – “...and operational plans would aim to strategically deliver materials when wind speeds are high and could blow material outside the building, which will help keep material contained in the transfer station.” It is the City’s assumption that this was intended to read: “...and operational plans would aim to strategically deliver materials when wind speeds are not high and could blow material outside the building, which will help keep material contained in the transfer station.”

Response: Comment noted and added to Errata Sheet in Appendix C.

Comment 2-7: Curbside staff would walk the perimeter of the property on a daily basis to ensure that all litter is collected and contained.

Curbside would install a second barbed wire arm that leans inward instead of outward to capture additional litter in addition to the current chain link fence surrounding the Project

Response: Comment noted.

Comment 2-8: In EAW Item 6b, the last paragraph under “Potential future transfer station operations” it states: “Project approvals/permits to process the other materials (i.e., MSW, C&D, recycling, and organics), Curbside would load received waste material every afternoon (i.e., Monday to Friday or as described above) onto trailers that are enclosed with a tarp for transportation, and transfer material to the final disposal or processing site the following day. Occasionally, Curbside would store material overnight or over a weekend in the transfer station with the doors closed if the material cannot be loaded onto transfer semi-tractor trailers by end of day or by the end of the work week.” Later in EAW Item 17c, it states: “Curbside will manage odors by moving material through the transfer station as quickly as possible. For example, most materials will be loaded and

removed from the Project Area on a daily or next-day basis. Odor control measures include the six rolling doors, which Curbside can close as needed to limit the escape of odors from the Project to nearby sensitive receptors as well as good housekeeping procedures, limited onsite storage, and regular floor cleanings. There may be occasional temporary storage of waste materials overnight or over a weekend within the transfer station with the doors closed. Curbside will remove waste materials stored overnight or over a weekend on the following operations day.”

- *The City requests that it be clarified if there may be storage of any type exterior to the transfer station either overnight or over weekend.*

Response: Comment noted. This information will be passed on to Curbside Waste Inc.

Comment 2-9: There are a number of places in the EAW that speak to the measures Curbside would take to avoid visual impacts (e.g., barb wire system to capture material that may be blown around); however, this same information is not included in the Visual section of the EAW, which would have been recommended by the City.

Response: Comment noted.

Comment 2-10: As it pertains to noise,

- While it is described under the EAW Air item, the following is relevant to noise at the facility:
 - Waste truck drivers would be advised to turn off their engines if they are unloading accepted solid waste onto the tipping floor from a trailer, noting that some vehicles such as packer trucks require the engine remain running to dump the material on the tipping floor. Semitrucks engines would only run when the semi-trucks are entering or leaving the transfer station, they would not idle while being loaded with waste materials to be transferred to the final destination for the solid waste.
 - *With the need for truck staging (line to await unload at tipping floor), the City would request Curbside confirm that trucks would not run while awaiting one of the four positions available at the tipping floor.*

Response: Comment noted. This information will be passed on to Curbside Waste Inc.

Comment 2-11: Regarding the EAW Noise section:

- The facility is at the eastern end of an established industrial park. There are four residential properties to the east across West French Lake Road. Nearby sensitive receptors include a mobile home park approximately 0.3 miles from the Facility to the west, one residence approximately 150 feet to the northeast, and four residences ranging from approximately 0.1 to 0.2 miles to the southeast.
- Curbside has not received any noise complaints from the residents since the Facility became operational.
- During the local permitting process for the facility, conditions were established so noise from the facility did not adversely impact nearby residences. These conditions include limiting operating hours and requiring that maintenance activity be complete indoors.
- On-site activities are described as not creating prolonged noise disturbances including statement that vehicles that come and go throughout the day do not create excessive noise.

- Noise associated with maintenance activities, including any cutting, welding, or grinding, is completed inside the maintenance building.
- The most common noise produced on-site that would be produced is the backup beeper sound from collection vehicles and the front loader or bobcat when in use.
- Curbside would limit all activities associated with the Project to daytime hours (not overnight) and would be in conformance with state and local noise standards. *The City would request Curbside confirm days and hours of operation.*
- There will not be any construction-related noise as the Project is already built to handle the requested capacity of waste materials. Curbside is committed to compliance with the noise standards set forth in Minn. Rules, Chapter 7030.0040.

Response: Comment noted. This information will be passed on to Curbside Waste Inc.

Comment 2-12: It is unclear whether EAW Item 21 Cumulative potential effects has been addressed.

While the EAW form states that “Preparers can leave this item blank if cumulative potential effects are addressed under the applicable EAW Items”, the City found no mention of cumulative potential effects in the EAW.

Response: The Hennepin County, MnDOT, and EQB websites were searched in December 2025 and no future projects were identified within one mile of the project site. Cumulative potential effects were addressed throughout the EAW.

Comment 2-13: In EAW Item 6b (Fire suppression and other site-specific requirements), the City requests Curbside work with the Dayton Fire Chief prior to expansion of operations (or prior to any applicable city permits being issued) to ensure the proper design and implementation of a suitable fire suppression system that would provide the additional fire suppression support for the facility including consideration of the Project.

Response: Comment noted. This information will be passed on to Curbside Waste Inc.

3. Parker Theisen, Letter received May 12, 2026.

Comment 3-1: My name is Parker Theisen. I am a crop consultant and Independent Seed Sales Representative operating in Holt County, Nebraska. Through the course of the past thirteen years, I have had the distinct privilege of developing a relationship with Riverview through their Sandy Ridge Ranch and former Eagle Creek and Pine Creek locations. I am writing in support of their proposed West River Dairy expansion in Stevens County. Through our work in the agricultural sector, we depend on a strong and stable livestock industry. Operations like Riverview's create consistent economic activity that supports local jobs, drives investment, and allows businesses like ours to grow and reinvest in our communities. Riverview is and always has been a steward in their endeavors. They have almost always operated under a microscope and followed local regulations to a T. The phrase "tour ready at all times" resonates in my mind, and I can attest to this as the standard they have set at all of their locations. The proposed expansion represents a meaningful economic benefit to the region. It will generate demand for local vendors, support both construction and long-term employment, and contribute to the vitality of rural communities that rely on agriculture. From our direct experience, Riverview is a professional and reliable partner that contributes positively to the communities where it operates. Their presence strengthens the

local economy and supports a broad network of agricultural and service-related businesses. Projects like this are essential to maintaining a competitive and sustainable rural economy in Minnesota. Continued investment in agriculture ensures that local businesses can continue to provide jobs, services, and economic stability close to home. No EIS is needed as the state environmental review process is rigorous and very sufficient. I respectfully encourage your support and approval of this important project.

Response: Thank you for your comment. Comment is out of scope of the EAW.

Appendix C

**Minnesota Pollution Control Agency
Dayton Transfer Station
Environmental Assessment Worksheet (EAW)**

Errata sheet

1. In item 13b, the word “not” is missing from a sentence.

Curbside will install full coverage doors on all six openings to the transfer station, and operational plans would aim to strategically deliver materials when wind speeds are not high and could blow material outside the building, which will help keep material contained in the transfer station.

2. In item 21b, add December 2025 to a sentence.

The Hennepin County, MnDOT, and EQB websites were reviewed in December 2025 to identify potential projects near the Project and there are no major projects planned within one mile of the Project.