



REGION 5
CHICAGO, IL 60604

August 14, 2024

Mr. Glenn Skuta
Watershed Division Director
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Dear Mr. Skuta:

The U.S. Environmental Protection Agency completed its review of the final Total Maximum Daily Load (TMDL) revision for the Mississippi River-St. Cloud River Watershed TMDL (originally approved in 2015), including supporting documentation. The revised TMDL addresses changes to the allocations for one waterbody, Donovan Lake. The revised TMDL addresses the impaired Aquatic Recreation Use due to excessive phosphorus.

The revised TMDL meets the requirements of Section 303(d) of the Clean Water Act and the EPA's implementing regulations set forth at 40 C.F.R. Part 130. Therefore, the EPA approves Minnesota's one revised TMDL for phosphorus. All other aspects of the original TMDL approval remain the same. The EPA describes Minnesota's compliance with the statutory and regulatory requirements in the enclosed decision document.

The EPA acknowledges Minnesota's efforts in submitting this revised TMDL and look forward to future TMDL submissions by the State of Minnesota. If you have any questions, please contact Mr. David Werbach, at 312-886-4242 or Werbach.david@epa.gov.

Sincerely,

8/14/2024

X 

Tera L. Fong
Division Director, Water Division
Signed by: TERA FONG

cc: Andrea Plevan, MPCA
Phil Votruba, MPCA

wq-iw8-46q

2024 Mississippi River - St. Cloud (Donovan Lake) Watershed Revised TMDL Decision Document

TMDL: Revisions to the Minnesota “Total Maximum Daily Loads for the Mississippi River-St. Cloud Watershed” (Donovan Lake only)

Approval Date: 8/14/2024

Background

On May 14, 2015, the United States Environmental Protection Agency approved the Total Maximum Daily Loads (TMDLs) for dissolved oxygen-demanding substances, phosphorus, and total suspended solids for the waterbodies in the Mississippi River-St Cloud Watershed (MRSCW) in the State of Minnesota.¹ For purposes of this Decision Document, the TMDLs approved on May 14, 2015, will be referred to as the “Original TMDL.” The Original TMDL addresses certain water bodies not meeting aquatic life and aquatic recreation uses due to exceedances of the dissolved oxygen, phosphorus, and total suspended solids water quality standards.

For the purposes of this amendment to the Original TMDL Decision Document (May 2015), the EPA recognizes the revisions to the MRSCW TMDL, submitted to the EPA on July 30, 2024, as the 2024 Revision. This revision addresses one waterbody, Donovan Lake (Lake ID 05-0004-002) for phosphorus.

The Original TMDL was developed by the Minnesota Pollution Control Agency (MPCA) and established load allocations (LA) for nonpoint sources and wasteload allocations (WLA) to point sources. A margin of safety (MOS) was established for the Original TMDL.²

The MRSCW TMDL is being revised to correct the watershed area addressed in the phosphorus TMDL for Donovan Lake and to update the WLA process used by MPCA to develop the allocations. MPCA determined:

1. approximately 17 acres of the St. Cloud city municipal separate storm sewer system (MS4) were incorrectly excluded from the TMDL subwatershed;
2. approximately 81 acres of Benton County, Minnesota Department of Transportation and Minden Township were incorrectly included in the TMDL watershed; and
3. MPCA applied the now-current process for calculating MS4 WLAs in the TMDL watershed.

Figure 1 of the Revised final TMDL document is a map showing the areas in the TMDL watershed that are addressed by this TMDL Revision. On Page 4 of the Revised final TMDL document, MPCA explained that the Original TMDL developed WLAs based upon the developed land area at that time. MPCA now uses the land area under the jurisdiction of the MS4 entity, and better accounts for future changes in the MS4 area, and provides better flexibility.

¹ Mississippi River (St. Cloud) Watershed TMDLs Decision Document dated May 14, 2015.

² MPCA, *Mississippi River (St. Cloud) Watershed Total Maximum Daily Load*, January 2015.

As a result of these revision, the WLAs and LAs have been slightly revised to account for the updated areas. The overall Loading Capacity and Margin of Safety, as well as all other portions of the TMDL, remained unchanged and are still in effect. The updated information is contained in the *Donovan Lake TMDL Revision 2024 (revised 2015 TMDL)*.

2024 Revisions to the MRSCW TMDL (Donovan Lake)

The EPA is approving the 2024 Revision to the Donovan Lake TMDL Summary Table of the Original TMDL based on the information submitted by the State of Minnesota on July 30, 2024. MPCA provided phosphorus WLAs for two MS4 entities, the City of St. Cloud (MS400052) and Minden Township (MS400147). MPCA recalculated the WLAs and LA based upon the new areas addressed under the Donovan Lake TMDL.

Additional reasonable assurance is provided by the revised MPCA Watershed Restoration and Protection Strategy (WRAPS) report approved in June, 2024, which addresses additional efforts being pursued by MPCA in the MRSCW to restore impaired waters <https://www.pca.state.mn.us/sites/default/files/wg-ws4-99a.pdf>. In addition, Benton County has developed (in 2018) a Comprehensive Local Watershed Management Plan https://static1.squarespace.com/static/60b8cd227b2d9777a8b31cbb/t/662036a661a53f054ab843ec/1713387181616/Benton_WP.pdf to address water quality throughout the county. Both of these documents note Donovan Lake as being impaired and provide information on actions to address water quality in the watershed.

The EPA Assessment:

The EPA finds the State's calculation of new WLAs and adjusted WLA/LA for Donovan Lake as noted below to be reasonable and appropriate. MPCA provided the basis for their calculations, as well as additional reasonable assurance to account for the shift of loads from LA to WLA.

Public Participation for the 2024 Revisions

MPCA put the revised Donovan Lake TMDL on public notice from May 13, 2024, to June 12, 2024, to seek comments on the revision to the TMDL. The draft document was posted at: <http://www.pca.state.mn.us/water/tmdl>. One comment was received, providing information regarding the 81 acres incorrectly included in the Original TMDL. MPCA updated the final Revised TMDL to exclude these lands and adjusted the TMDL allocations accordingly.

The EPA Assessment:

The EPA reviewed the public participation information submitted by the State, and also reviewed information made available by MPCA to the EPA to the public for review and comment, and the MPCA's announcement of the public comment period. The EPA finds that the State of Minnesota's public participation processes for the 2024 Revisions to the Donovan Lake TMDL were appropriate and that MPCA provided the general public with reasonable opportunity to review and comment on the proposed revisions to the MRSCW (Donovan Lake) TMDL.

Conclusion

The EPA has completed a full review of the information provided by MPCA on July 30, 2024, and other appropriate supporting information. The EPA finds that pursuant to Section 303(d) of the Clean Water Act (CWA), 33 U.S.C. Section 1313(d), and the EPA's implementing regulations at 40 C.F.R. Part 130, the 2024 Revisions satisfy the elements of an approvable revised TMDL. This approval addresses changes to the total phosphorus TMDL (Donovan Lake) (Table 1 of this revised Decision Document). No other elements or documentation relating to the original or subsequent approvals of this TMDL are being revised.

The EPA's approval of this TMDL extends to the water bodies which are identified above with the exception of any portions of the water bodies that are within Indian Country, as defined in 18 U.S.C. Section 1151, and as further discussed in our Decision Document. The EPA is taking no action to approve or disapprove TMDLs for those waters at this time. The EPA, or eligible Indian Tribes, as appropriate, will retain responsibilities under the CWA Section 303(d) for those waters.

Table 1. Revised Donovan Lake (05-0004-02) phosphorus TMDL summary.

- Listing year: 2010
- Numeric standard used to calculate TMDL: 60 µg/L TP
- Baseline year: 2006
- TMDL and allocations apply Jun–Sep

TMDL Parameter		TMDL TP Load ^a	
		lb/day	lb/yr
WLA ^b	Construction stormwater (MNR100001)	0.0021	0.76
	St. Cloud City MS4 (MS400052)	0.079	29
	Minden Township MS4 (MS400147)	0.13	46
Load allocation (atmospheric, internal, and groundwater)		0.15	53
MOS		0.039	14
Loading Capacity		0.39	143
Existing Load		0.96	352
Percent Reduction		63%	

- TMDL TP loads are rounded to two significant digits.
- This WLA is based on the entire jurisdictional area for Minden Township that lies within the Donovan Lake drainage area. MS4 regulated area at the time of this TMDL revision 98.09 acres in Minden Township (based on 2019 Legislative changes) and 369.48 acres in Saint Cloud

Attachments

Attachment 1: The EPA's May 14, 2015, approval of the Mississippi River-St. Cloud River Watershed TMDL