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August 11, 2023

TO: INTERESTED PARTIES

RE: Thomson Reservoir Sediment Remediation

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 on the Thomson Reservoir Sediment Remediation. 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 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 offices in St. Paul; the Hennepin County Library at 300 Nicollet Mall, Minneapolis, MN. Interested parties can also view the documents on MPCA's website at <https://www.pca.state.mn.us/regulations/projects-under-mPCA-review>. Please contact the MPCA's St. Paul office at 651-757-2098 for copies of these documents.

**STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY**

**IN THE MATTER OF THE DECISION
ON THE NEED FOR AN ENVIRONMENTAL
IMPACT STATEMENT FOR THE PROPOSED
THOMSON RESERVOIR SEDIMENT REMEDIATION
CARLTON COUNTY, MINNESOTA**

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

FINDINGS OF FACT

Pursuant to Minn. ch. 4410, the Minnesota Pollution Control Agency (MPCA) staff prepared and distributed an Environmental Assessment Worksheet (EAW) for the proposed sediment remediation of the Thomson Reservoir (Reservoir). 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 (FOF).

Parties

1. The United States Environmental Protection Agency (EPA) (represented by the Great Lakes National Program Office) and the MPCA entered into the Great Lakes Legacy Act Project Agreement to conduct a remedial action for the Thomson Reservoir Sediment Remediation (Project). The remedial action includes applying a 2.5-inch layer of pelletized activated carbon (PAC) over 69.5 acres of the Reservoir where sediment contaminants exceed the cleanup criteria (Project). Sediment dredging is not part of this Project. The EPA and the MPCA have the authority and capability to perform the remedial action and intend to finance the Project.
2. The MPCA/EPA jointly are the Project proposers. The MPCA is also the Responsible Governmental Unit (RGU) and prepared the EAW for this Project. This FOF refers to the MPCA/EPA as the Project "Proposer" when the EAW discusses the MPCA/EPA in its role as Proposer. The EAW and this FOF uses "MPCA" when referring to the MPCA in its role as the responsible governmental unit (RGU) for environmental review of this Project.
3. The Proposer has partnered with the U.S. Army Corps of Engineers (USACE) to provide Project design and construction oversight of remedial activities. The USACE is a partner that works with the Proposer on the Project but is not a monetary partner in the formal Great Lakes Legacy Project Agreement. On previous projects, USACE contracted the project construction as well; however, for this Project, EPA will contract the construction.

Project Description

4. Thomson Reservoir is one of five reservoirs downstream of the City of Cloquet that regulate stream flow into the downstream portion of the St. Louis River (SLR). Thomson Reservoir is approximately 330 acres in size and consists of the water body immediately upriver of the Thomson Reservoir Dam within the St. Louis River Area of Concern (SLRAOC). The Project site functions as a hydroelectric dam and is operated by a private entity, Minnesota Power.
5. The SLRAOC was listed as one of 43 Great Lakes Areas of Concern in 1987 by the International Joint Commission under the "Great Lakes Water Quality Annex I and Great Lakes Restoration Initiative Action Plan II priority – cleaning up a Great Lakes Areas of Concern" agreement between the United States and Canada. The Project is conducted in accordance with the contaminated sediment management actions identified in the "St. Louis River System Remedial Action Plan 2013" (RAP)

prepared jointly by the MPCA and Wisconsin Department of Natural Resources (WDNR) and updated annually.

6. Sediment characterization of the Project site from 2010-2016 identified sediments contaminated with dioxins/furans (contaminants of concern [COC]) likely from historically deposited materials. The Proposer estimates there are approximately 222,000 cubic yards of contaminated sediments within the remedial footprint of the Project Site, which the EPA and MPCA will remediate.
7. As outlined in the EAW, the EPA will hire a construction contractor (Contractor) to conduct the following remedial activities:
 - Preparing the Project site, including mobilizing equipment, some clearing of vegetation on the sides of the existing roads, and access road improvements (grading and gravel placement) ensure existing roads are suitable to support heavy equipment and trucks.
 - Installing erosion prevention and sedimentation control best management practices (BMPs).
 - Placing approximately 20,000 tons of PAC over 69.5 acres of contaminated sediments in targeted, open-water areas.
 - Decontaminate and demobilize all equipment from the Project site and decommission the staging area and access roads following restoration per project plans and permits.
 - Restoring impacted upland areas with new, native live trees and seed.
8. The Proposer anticipates Project construction to occur in two phases:
 - A land phase in fall 2023 through spring 2024; and
 - An in-water phase in summer of 2024 through calendar year 2025.
9. The actual construction dates are dependent on completion of the environmental review process, and issuance of the following permits or approvals:
 - Minnesota Department of Natural Resources (DNR) Public Waters Work Permit.
 - DNR Water Appropriation Permit.
 - DNR Lake Superior Coastal Zone federal consistency letter.
 - MPCA National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater (CSW) General Permit including a Stormwater Pollution Prevention Plan (SWPPP).
 - USACE River and Harbors Appropriation Act of 1899, Section 10.
 - USACE Clean Water Act (CWA) Section 404 Permit.
 - CWA Section 401 Water quality Certification or waiver.
 - Carlton County Shoreland Alteration or Interim Use Permit, if needed.
 - Carlton County Filling/Grading and Construction Storm Water Permits if needed.

Procedural History

10. An EAW is a brief document designed to provide the basic facts necessary for the 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).
11. Minn. R. 4410.4300, subp. 27(A) requires a mandatory EAW because the Project will change or diminish the course, current, or cross-section of 1 acre or more of public water and states that the DNR or local governmental unit is the RGU.
12. However, Minn. R.4410.0500, subp. 1, states that for any project listed in part 4410.4300 or 4410.4400, the government unit specified in those rules shall be the RGU, unless the Project is

carried out by a state agency; in that case, the state agency is the RGU. For this Project, the MPCA is in part the Proposer and RGU for environmental review, as it is carrying out the Project by implementing the RAP.

13. The MPCA notified the public about the Project as follows:

- A. The Environmental Quality Board (EQB) published the notice of availability of the EAW for public comment in the *EQB Monitor* on June 6, 2023, as required by Minn. R. 4410.1500.
- B. The EAW was available for review on the MPCA website at: www.pca.state.mn.us/eaw.
- C. On June 6, 2023, the MPCA provided a news release via GovDelivery.

14. During the 30-day comment period on the EAW, ending on July 6, 2023, the MPCA received one response in the form of an email from the MN Department of Agriculture (MDA) stating MDA had no comments. A list of the comments received during the 30-day comment period are included as Appendix A to these findings. As no comments were received, the MPCA did not prepare written responses to the comments during the 30-day public comment period.

Criteria for Determining the Potential for Significant Environmental Effects

15. The MPCA shall 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 the 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. These 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 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
Are Set Forth Below**

Type, extent, and reversibility of environmental effects

16. 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” in Minn. R. 4410.1700, subp. 7(A). The MPCA finds the types of impacts that may reasonably be expected to occur from the Project are impacts to surface water quality and are set forth below.

Type and extent of surface water quality impacts

17. The Thomson Reservoir (Watershed Assessment Unit ID# 09-0001-00) does not have a water-use listing classification, although it is between two reaches of the SLR (Stream Identification Numbers 04010201-516 and 04010201-523) that are listed under Minn. R. 7050.0470, as Class 2B, 3c, 4A, 4B, 5, and 6 surface waters. All surface waters not listed and not defined as wetlands under Minn. R. 7050.0186, subp. 1(A) (including the Thomson Reservoir) are considered Class 2B, 3, 4A, 4B, 5, and 6 surface waters under Minn. R. 7050.0415.
18. The SLR has protection status as outlined by the general standards for waters of the state (Minn. R. 7050.0210), the specific water quality (WQ) standards for each class (Minn. R. 7050.0220 through 7050.0226), and by the applicable WQ standards governing each classification as identified in the EAW.
19. The MPCA lists the SLR as impaired on the Draft 2020 Impaired Waters List. It is impaired for aquatic consumption due to the following contaminants: dichlorodiphenyltrichloroethane (DDT), dieldrin, dioxin (including 2,3,7, 8-tcdd), toxaphene, mercury, and polychlorinated biphenyls (PCBs) in fish tissue and in the water column. Additional restrictions apply as listed by Minn R. 7052.0100, subp. 5 (e.g. total mercury limit of 1.3 nanograms/liter), a site specific water quality standard that applies to the SLR because it is within the Lake Superior Basin.
20. The Contractor will place approximately 20,000 tons of PAC over the 69.5-acre remedial footprint. This quantity assumes a maximum placement thickness of 2.5 inches of PAC across the remedial footprint. The amendment material will fall through the water column and settle on the riverbed in the work area.
- Direct impacts to surface water from the Project include:
 - Placement of PAC cover in open-water areas will result in a thin layer change to the existing sediment elevation and a temporary reduction in habitat for bottom-dwelling plants, invertebrates, and fish.
 - Placement of PAC directly over wetland areas covering sediments and vegetation thereby temporarily reducing habitat.
 - Temporary increase in total suspended solids (TSS) in the Reservoir.
 - Potential indirect temporary impacts to surface water from the Project, will be minimized by a SWPPP and the CSW permit, but may include erosion and sedimentation from:
 - Equipment mobilization.
 - Removing woody vegetation in designated areas for access roads.
 - Constructing the staging area and shoreline access limits.
21. The MPCA, USACE, and DNR agreed to a TSS limit of 15 mg/L above background as a preliminary water quality criterion for the Project. The Contractor will measure the TSS directly upstream and

downstream of the Project area to ensure that turbidity generated from the localized placement area does not extend out to the open water of the Reservoir. There is a potential for short-term turbidity increases at the amendment placement site, but the Contractor must contain the turbidity with floating silt curtains and other BMPs as needed.

22. Following completion of the amendment placement activities, the Contractor will decontaminate and demobilize all supporting equipment and materials from the Reservoir.
23. The Contractor will install erosion prevention and sedimentation control BMPs in compliance with all local, state, and federal guidelines prior to disturbing the soil at the Project site. To access the Reservoir, the Contractor will use an existing access road on Minnesota Power's property near the Thomson substation and forebay dam. A second access to the Reservoir next to the large spillway dam will also be utilized. A crane will be used to transfer the barges and other construction equipment into the water at the access points.
24. The MPCA finds that based on the Project design and BMPs, the Project does not present a risk to human health or the environment. The MPCA finds that, for the reasons discussed above, it does not expect adverse effects on surface water quality resulting from the Contractor placing the PAC amendment in the Reservoir.
25. The MPCA finds that the Project will not create long-term contaminant releases. The MPCA expects short-term exposures (e.g., increased turbidity in the water column) during construction activity. However, the Proposer will manage these exposures to prevent the potential for significant environmental effects.

Reversibility of surface water quality impacts

26. With respect to the reversibility of surface water quality impacts that are reasonably expected to occur from this Project, the MPCA makes the following findings.
27. The Section 404 CWA Permit, the Section 10 Rivers and Harbors Appropriation Act Permit (RHA), and the Public Waters Work Permit include BMPs designed to prevent adverse effects on surface water quality from the PAC amendment placement. The MPCA expects only short-term turbidity impacts to surface water quality within the Project area. The turbidity of surface water quality in the Project area returns to background concentrations typically within 2 weeks or less. The MPCA expects that any adverse impacts that may occur will be short term in nature and therefore reversible.
28. The MPCA finds that information presented in the EAW and other information in the environmental review record are adequate to assess potential impacts to surface water quality that are reasonably expected to occur from the Project. The Proposer has developed measures to prevent or mitigate these impacts.
29. The MPCA finds that the Project, as it is proposed, does not have the potential for significant adverse environmental effects based on the type, extent, and reversibility of impacts related to surface water quality that are reasonably expected to occur.

Cumulative Potential Effects

30. 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.

31. The EAW did not identify 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.
32. The EAW addressed cumulative potential effects on surface water quality.
33. The EAW did not disclose that the Project has the potential to interact with other projects in such a way as to result in significant cumulative potential effects on the floodway or the water column.
34. The MPCA finds there are positive cumulative effects from implementation of the SLRAOC projects that should provide far greater overall benefits to the ecosystem. These benefits include increased quantity, quality, and diversity of aquatic habitat, submerged aquatic vegetation and macroinvertebrates; increased habitat connectivity; improved water quality; and improved aesthetics.

Cumulative potential effects on surface water quality

35. The Draft 2020 Impaired Waters List lists the SLR as impaired for DDT, dieldrin, dioxin (including 2,3,7,8-tcdd), toxaphene, mercury, and PCBs in fish tissue and in the water column.
36. The Section 404 CWA Permit, Section 401 Water quality Certification, the Section 10 RHA, and the Public Waters Work Permit required for the Project provide the framework and set the limitations for Project construction, such as listing BMPs required for dredging and in-water placement of PAC amendment.
37. The MPCA does not anticipate the Project will contribute to any potential adverse effect on surface water quality since the certifications, permits, and approvals address the potential negative effects of the Project on surface water quality.
38. The placement of the PAC amendment by the Proposer will result in a temporary increase in turbidity within the work area of the Project. However, the Proposer will use BMPs during placement to ensure the Project complies with state and federal surface water quality regulations, and the Proposer will continue to implement sufficient BMPs to minimize the Project’s short-term turbidity impacts. The MPCA does not expect the Project to contribute to long term adverse impacts from turbidity.
39. The MPCA finds that since the Project meets the cleanup goals for mercury set forth in the FFS and that the PAC will also sequester the mercury, the Project does not contribute to negative cumulative effects for this Project and other SLRAOC projects.
40. For these reasons, the MPCA does not expect the Project to contribute significantly to adverse cumulative potential effects to surface water quality. The MPCA finds that the Project does not have the potential for significant negative cumulative potential effects.
41. The MPCA finds that information presented in the EAW, public comments, MPCA follow-up evaluation, and other information in the environmental review record are adequate to assess potential impacts to surface water quality that are reasonably expected to occur from the Project. The Proposer has developed measures to prevent or mitigate these impacts.

The Extent to Which the Environmental Effects Are Subject to Mitigation by Ongoing Public Regulatory Authority

42. 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.

43. The Proposer will obtain the following permits or approvals for the Project:

Unit of Government	Type of permits/approvals
MPCA	<ul style="list-style-type: none"> • NPDES/SDS Construction Stormwater General Permit • CWA Section 401 Water Quality Certification or waiver
DNR	<ul style="list-style-type: none"> • Public Waters Work Permit • Water Appropriation Permit • Lake Superior Coastal Zone Federal Consistency Letter
USACE	<ul style="list-style-type: none"> • RHA, Section 10 Permit • CWA Section 404 Permit <p><i>The USACE St. Paul District Regulatory Office has stated that the Project falls under USACE general nationwide permit actions.</i></p>
Minnesota State Historic Preservation Office (SHPO) and Tribal Nations	<ul style="list-style-type: none"> • Section 106 concurrence letter
Carlton County	<ul style="list-style-type: none"> • Shoreland Alterations or Interim Use Permit (if needed) • Carlton County Filling/Grading and Construction Storm Water Permits (if needed)

44. MPCA NPDES/SDS Construction Stormwater (CSW) General Permit

A CSW Permit is required when a project disturbs one acre or more of soil. As required by the CSW Permit, the Proposer must develop a SWPPP that provides more detail on the BMPs the Proposer will implement. The SWPPP must also address phased construction; vehicle tracking of sediment; inspection of erosion control measures implemented; and timeframes in which the Proposer will implement erosion control measures. If the Proposer’s Contractor is going to disturb one acre or more of soil during material storage and staging activities, the Contractor will obtain a CSW Permit.

45. MPCA CWA Section 401 Water Quality Certification

The Proposer will obtain a 401 Water Quality Certification if needed (a general 401 Certification may be applicable in the event a USACE Nationwide Permit is issued if the Proposer is able to meet all conditions laid out in the general Certification) or obtain a waiver. Section 401 of the CWA requires any person who conducts an activity that may result in a discharge of a pollutant into waters of the United States, to obtain a certification from the State in which the discharge originates. The 401 Certification requires that the discharge comply with the applicable water quality standards. The

401 Certification becomes an enforceable condition of federal permits including Coast Guard Section 10 permits, Federal Energy Regulatory Commission (FERC) permits and USACE Section 404 permits.

46. DNR Public Waters Work Permit

The Proposer will obtain a DNR Public Waters Work Permit. The DNR Public Waters Work Permit Program regulates activities that change or diminish the course, current or cross section of public waters within the state, by any means, including filling, excavating, or placing sand and aggregate in or on the beds of public waters.

The Proposer has requested a waiver from the fisheries restriction window to conduct Project mobilization activities during the months of June 2024 and June 2025. Activities will be limited to placement of barges, boats, equipment necessary to conduct the remedial construction activities. These activities may have short term impacts to turbidity to the sediment bed. No placement of PAC or other construction activities that would create turbidity or otherwise disturb the sediment bed will be permitted during this time.

47. DNR Water Appropriation Permit

The Proposer will obtain a water appropriation permit from the DNR to borrow water from the SLR to wash in-water equipment, conduct on-land dust control during construction and water vegetation during post-construction restoration activities.

48. DNR Lake Superior Coastal Zone Federal Consistency Letter

The Proposer will obtain a Lake Superior Coastal Zone federal consistency letter. Federal consistency requires that all federal actions which are reasonably likely to affect any land, water use, or natural resources of Minnesota's Lake Superior coastal area must be consistent with the enforceable policies of Minnesota's Lake Superior Coastal Program. The DNR conducts this review and issues a letter when its review is completed.

49. USACE RHA, Section 10 Permit

The Proposer will obtain a USACE Section 10 Permit. Section 10 of the RHA requires the USACE approval prior to any work in, over, or under navigable waters of the United States, or which affects the course, location, condition, or capacity of such waters. Typical activities requiring Section 10 permits include the following: construction of intake structures, cable, or pipeline crossings, work such as dredging or disposal of dredged sand, and excavation, filling, or other modifications to navigable waters of the United States.

50. USACE CWA Section 404 Permit

The Proposer has obtained an authorization letter from the USACE regarding the 404 Permit. The general permit requires the Proposer to follow specified procedures for excavation in wetlands and placement of excavated dredged sand into the waters of the United States or their associated wetlands. The USACE sends the Proposer a letter stating that the Project falls under a USACE general nationwide permit. The Proposer can then move forward with the remedial construction as long as the Proposer follows the conditions included.

51. Section 106 Concurrence Letter

The Proposer will obtain a SHPO Section 106 concurrence letter. The SHPO reviews the information for a project to determine whether the project site is listed in the National or State Registers of Historic Places, and whether there are any known or suspected archaeological properties in the area affected by a project. The SHPO issues its determination letter under the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act. The SHPO worked with the EPA's Great Lakes National Program Office regarding the identification of historic properties and assessment of effects that the

Project may cause. The Fond du Lac Band of Lake Superior Chippewa has actively participated in Project discussions and provided feedback. They will continue to consult for the duration of the Project.

The Project has also been reviewed by the US Fish and Wildlife Service for impacts to Threatened and Endangered Species. The Project is not anticipated to result in adverse impacts to threatened or endangered species.

52. Carlton County Shoreland Alterations or Interim Use Permit (if needed)

Carlton County regulates alterations of vegetation and topography within shoreland to prevent erosion into public waters, reduce excess nutrients like phosphorous and nitrogen from washing into the lake, preserve shoreland aesthetics and historic values, prevent bank slumping, and to protect fish and wildlife habitat. The Proposer will obtain a Shoreland Alterations, Interim Use, Filling/Grading, or CSW Permits as determined by Carlton County, if needed.

53. The above-listed permits, approvals, and agreements 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 by ongoing public regulatory authorities.

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

54. 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.

55. The MPCA reviewed the following documents as part of the environmental impact analysis for the Project:

- Data presented in the EAW including previous SLRAOC studies.
- Permits and environmental review of similar projects.

56. The MPCA also relies on information provided by the Proposer, persons commenting on the EAW, staff expertise, and other available information obtained by staff.

57. 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. There are no elements of the Project that pose the potential for significant environmental effects.

58. Based on the environmental review, previous environmental studies by public agencies or the 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.

59. 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

60. 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.

61. The MPCA identified areas for potential significant environmental effects. The Project design and permits ensure the Proposer will take appropriate mitigation measures to address significant effects. The MPCA expects the Project to comply with all environmental rules, regulations, and standards.
62. 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.
63. An EIS is not required for the Project.
64. Any findings that might properly be termed conclusions and any conclusions that might properly be termed findings are hereby adopted as such.

ORDER

65. The Minnesota Pollution Control Agency determines that there are no potential significant environmental effects reasonably expected to occur from the Thomson Reservoir Sediment Remediation project and that there is no need for an Environmental Impact Statement.

IT IS SO ORDERED

Katrina Kessler

Katrina Kessler, Commissioner
Minnesota Pollution Control Agency

August 9, 2023

Date

**Minnesota Pollution Control Agency
Thomson Reservoir Sediment Remediation Project
EAW**

LIST OF COMMENT LETTERS RECEIVED

1. Steve Roos, **MN Department of Agriculture**. Letter received June 6, 2023

RESPONSES TO COMMENTS ON THE EAW

1. Steve Roos, **MN Department of Agriculture**. Email received June 6, 2023

Comment 1-1: Minnesota Department of Agriculture appreciates the opportunity to review and comment on the

Comment 1-1a: Thomson Reservoir Sediment Remediation Project EAW. After reviewing the document, I have determined that this project will pose no impacts to agricultural lands or activities. We have no further comments.

Response: The comment is noted.

From: [Roos, Stephan \(MDA\)](#)
To: [Swanson, Regina \(MPCA\)](#)
Subject: RE: Environmental Assessment Worksheet for the Proposed Thomson Reservoir Sediment Remediation Project
Date: Tuesday, June 6, 2023 4:19:59 PM
Attachments: [image003.png](#)

Hi Regina,

Minnesota Department of Agriculture appreciates the opportunity to review and comment on the Thomson Reservoir Sediment Remediation Project EAW. After reviewing the document I have determined that this project will pose no impacts to agricultural lands or activities. We have no further comments.

Thank you, Steve

**Steve Roos Environmental
Planner**
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