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Submittal Deadline: August 31, 2007

EQB Seeks Further Informal Comment on Definition and Use of Term “Cumulative Potential Effects”

The EQB staff is proposing modifications to the rule amendments presented to the Board in July regarding cumulative potential effects and is accepting informal comments on these modifications. The modifications and the associated revised SONAR text can be viewed at the EQB website, www.eqb.state.mn.us, by selecting the appropriate link under “Notices.” Comments received by September 7, 2006 will be presented to the Board at its September 20, 2007 meeting.

ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: September 26, 2007

Project Title: Concrete, Inc. Trail Pit

Description: MNDak concrete, Inc., Grand Forks, North Dakota, is proposing to mine sand and rock to supply their ready mix operations. The proposed site is a recently purchased existing 65-acre site located south of Minnesota Highway #92, in Section 30 of Gully Township, south of Trail, Minnesota. An Environmental Assessment Worksheet (EAW) is mandatory for this proposed use and copies of the EAW are available at the Polk County Planning & Zoning Office at 320 Ingersoll, Crookston, MN 56716 or by calling 1-800-482-6804. Public comments should be submitted to the Polk County Planning & Zoning Administrator. The deadline for public comment on the EAW is September 26, 2007

RGU: Polk County Planning & Zoning

The *EQB Monitor* is a biweekly publication of the Environmental Quality Board that lists descriptions and deadlines for Environmental Assessment Worksheets, Environmental Impact Statements, and other notices. The *EQB Monitor* is posted on the Environmental Quality board home page at <http://www.eqb.state.mn.us/>.

Upon request, the *EQB Monitor* will be made available in an alternative format, such as Braille, large print, or audio tape. For TTY, contact Minnesota Relay Service at 800-627-3529 and ask for Department of Administration. For information on the *EQB Monitor*, contact:

Minnesota Environmental Quality Board
658 Cedar St., 300 Centennial Office Building
St. Paul, MN 55155-1388
Phone: 651-201-2480
Fax: 651-296-3698
<http://www.eqb.state.mn.us>

Contact Person:

Dan Johanneck, Zoning Administrator
320 Ingersoll, PO Box 375
Crookston, MN 56716
218-281-6445

Project Title: Scherber Companies, LLC

Description: The proposed project is a gravel mining and crushing operation in Buffalo Township, Wright County, Minnesota. The proposal is to mine in two phases up to 27.5 acres of the 67.57 acres (+-) in a ten-year period.

RGU: Wright County

Contact Person:

Bill Stephens, Environmental Health Officer
10 2nd St. NW
Buffalo, MN 55313-1185
Phone: 763-682-7331
Fax: 763-682-7872
Bill.stephens@co.wright.mn.us

Project Title: Little Mary Estates/Lake Mary Villas, 1st Supplemental

Description: Little Mary Estates is a 22-unit residential planned unit development located on 16.3 acres in Lake Mary Township of Douglas County. The project will include infrastructure and home construction, and will be served by municipal sewer and a community well system. Lake Mary 1st Supplemental is a 4.3 acre addition to a previous development (Lake Mary Villas) in order to accommodate mooring sites for that development.

Copies of the EAW will be available for review at the Land & Resource Management Office in the Courthouse and web at www.co.douglas.mn.us/Land&Resource.htm.

RGU: Douglas County Land & Resource Management Dept.

Contact Person:

David Rush, Director
Land & Resource Management Department
Douglas County
305 8th Ave. W
Alexandria, MN 56308

Project Title: Lake Christina Water Level Management Project

Description: The Minnesota Department of Natural Resources is proposing to manage water levels on Lake Christina in Douglas County, MN to maintain desirable water quality and wildlife habitat. Water levels will be managed through the use of a pump station and appurtenant features to periodically lower the lake by a maximum amount of three feet from the average water level.

The MDNR will accept written comments on the Environmental Assessment Worksheet during the public review and comment period, which concludes Wednesday, September 26, 2007 at 4:30 p.m.

Written comments should be submitted to Matthew Langan, EAW Project Manager, Environmental Policy and Review Unit, Division of Ecological Services, Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota, 55155-4025. Electronic or e-mail comments may be sent to environmental.review@dnr.state.mn.us with "Lake Christina EAW" in the subject line. If submitting comments electronically, please include your name and mailing address.

Public review copies of the EAW are available at the following locations:

- MDNR Library, 500 Lafayette Road, St. Paul, Minnesota, 55155;
- MDNR Regional Headquarters, 2115 Birchmont Beach Road NE, Bemidji, MN 56601;
- Minneapolis Public Library, Government Documents, 300 Nicollet Mall, Minneapolis, Minnesota, 55401;
- Thorson Memorial Library (Grant Co. Library), 117 Central Ave. P.O. Box 1040 Elbow Lake, MN 56531;
- Douglas County Library, 720 Fillmore Street, Alexandria, MN 56308; and
- Fergus Falls Public Library (RDCL), 205 E Hampden, Fergus Falls, MN 56537.

The EAW is also posted on the MDNR's website at www.dnr.state.mn.us. (Click on "Public Input", then select "Lake Christina EAW" from the scroll-down list under "Environmental Review"). Additional copies may be requested by calling (651) 259-5115.

RGU: MN Department of Natural Resources

Contact Person:

Matthew Langan, EAW Project Manager
Environmental Policy and Review Unit
Division of Ecological Services
Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4025
Telephone: 651-259-5115
Matt.langan@dnr.state.mn.us

PETITION FILED

The following petitions have been filed with the EQB requesting preparation of an EAW. The EQB has assigned the indicated unit of government to review the petition and decide on the need for an EAW.

- City of Burnsville, Burnsville Performing Arts Center project

SCOPING EAW and DRAFT SCOPING DECISION

Project Title: Concrete Products of New London, Highway 23 Aggregate Mining Expansion

Description: Concrete Products of New London, Inc., intends to expand an existing 39-acre mining and aggregate operation onto the adjacent 248 acres over the next 30 years. Anticipated activities associated with the proposed project include mining, crushing, screening, and washing of aggregates, and the crushing and recycling of concrete for reuse. Project is located in Roseville Township, five miles northeast of New London.

RGU: Kandiyohi County

Contact Person:

Gary Geer, Planning and Zoning Administrator
400 Benson Ave. SW
Wilmar, MN 56201
Phone: 320-231-6229
Fax: 320-231-6564
Gary.geer@co.kandiyohi.mn.us

EIS NEED DECISIONS

The responsible governmental unit has determined the following projects do not require preparation of an EIS. The dates given are, respectively, the date of the determination and the date the EAW notice was published in the *EQB Monitor*.

- MN Pollution Control Agency, Highwater Ethanol Facility Project, August 14, 2007 (April 23, 2004).
- MN Pollution Control Agency, Rahr Malting Company and Koda Energy, LLC, August 8, 2007 (July 2, 2007).
- Rochester Common Council, Dodge Property, August 6, 2007 (June 17, 2007).
- Lake Elmo City Council, Old Village Sanitary Sewer Extension, August 7, 2007 (April 23, 2007).
- City of Faribault, Divine Mercy Catholic Church Development, August 14, 2007 (July 2, 2007).
- Council for the City of St. Cloud, St. Cloud Industrial Park, August 20, 2007 (June 18, 2007).

EAW NEED DECISION

The noted responsible governmental unit has made a decision regarding the need for an EAW in response to a citizen petition.

- City of Minnetrista, Halstead Pointe. Denied.
- City of Emily, Northern Lights over Lake Roosevelt. Ordered.
- City of Savage, Dan Patch Trail project. Denied.

DRAFT AUAR AVAILABLE

Project Title: Fischer Sand and Aggregate, LLP

Description: On August 9, 2007, the Apple Valley City council approved for distribution of the Alternative Urban Areawide Review (AUAR) for the Fischer Sand and Aggregate, LLP property. The AUAR study area encompasses approximately 599 acres of undeveloped property, of which 443 acres is generally located south of County Road No. 42, east of Flagstaff Avenue, north of 160th Street West, and west of Pilot Knob Road; with the remaining 116 acres located south of County Road No. 42, east of Pilot Knob Road, north of 155th Street West, and west of the Prairie Crossing development.

Although there is no pending development, the AUAR has analyzed two development scenarios that include up to 1,831 residential dwelling units and 3,047,000 sq. ft. of commercial/institutional uses.

Copies of the AUAR are available for review at the Apple Valley Municipal Center, 7100 W. 147th St., Apple Valley, MN 55124. The 30-day comment period for this EAW will end on September 26, 2007. Comments should be submitted to the Apple Valley Planning & Development Department at the Apple Valley Municipal Center. The AUAR will be a topic for review at the regularly scheduled Apple Valley Planning Commission meeting to be held on Wednesday, September 19, 2007, at 7 p.m. at the Apple Valley Municipal Center.

RGU: City of Apple Valley

Contact Person:

Tom Lovelace, City Planner
7100 West 147th St.
Apple Valley, MN 55124
Phone: 952-953-2572
Fax: 952-953-2515
info@ci.apple-valley.mn.us

EIS ADEQUACY DECISION

Final EIS Adequacy Decision

The Department of Natural Resources (DNR) has prepared a final Environmental Impact Statement (EIS) documenting the analysis of potential impacts associated with the project proposed by Minnesota Steel Industries, LLC (Minnesota Steel). The Proposed Project would include an open pit taconite mine; adjacent stockpile areas; construction of new facilities (a crusher, concentrator, pellet plant, and a direct reduced iron plant); a steel mill consisting of two electric arc furnaces, two ladle furnaces, two thin slab casters, a hot strip rolling mill; and construction of a new tailings basin on the site of the former Butler facility tailings basin. Minnesota Steel would utilize new and existing haul roads to transport overburden, waste rock, and lean ore to the stockpile area and taconite ore from the mine to the crusher. The Proposed Project would combine modern, commercially proven technologies to allow production of steel from taconite ore in less than 48 hours on the Minnesota Steel project site.

The DNR prepared a Scoping Environmental Assessment Worksheet (EAW) and a draft Scoping Decision Document (SDD) to identify those project alternatives and issues that would be addressed in the EIS. A notice of the availability of the Scoping EAW and draft SDD was published in the *EQB Monitor* (Vol. 29, No. 15) on July 18, 2005. The DNR held a public scoping meeting in Nashwauk, Minnesota on August 10, 2005, and issued the final SDD on October 13, 2005.

The draft EIS preparation notice was published in the *EQB Monitor* (Vol. 30, No. 5) on February 27, 2006. The DNR prepared a draft EIS that addressed all issues and alternatives raised during the scoping period including identification of reasonable mitigation measures for identified adverse effects.

The draft EIS notice of availability was published in the *EQB Monitor* (Vol. 31, No. 4) on February 12, 2007. The DNR held a public information meeting on March 14, 2007, and accepted comments on the draft EIS through April 2, 2007.

The DNR prepared a final EIS which included responses to all comments received during the draft EIS review period. The final EIS notice of availability was published in the *EQB Monitor* (Vol. 31, No. 13) on June 18, 2007. The DNR accepted comments on the adequacy of the final EIS through July 23, 2007. The DNR received 16 comment letters during the final EIS review period.

On August 10, 2007, pursuant to the criteria prescribed in Minnesota Rules, part 4410.2800, subpart 4, the DNR determined the EIS adequate. The DNR prepared a record of decision/findings of fact and distributed it to all parties in accordance with Minnesota Rules, part 4410.2800, subpart 6. The finding of EIS adequacy concludes state environmental review for the proposed project.

The contact person at the DNR is: Scott Ek, Principal Planner, Minnesota Department of Natural Resources, Division of Ecological Resources, Environmental Policy & Review, 500 Lafayette Road, Box 25, St. Paul, MN 55155-4025, (651) 259-5156.

NOTICES

Minnesota Department of Agriculture

Transgenic Lysine Enhanced Corn - Commercial Use Exemption

Monsanto Company has requested an exemption from the Minnesota Department of Agriculture's Genetically Engineered Organism Release Permit for lysine enhanced corn lines derived from transformation event LY038. These corn lines contain the stably integrated gene, *cordapA*, isolated from *Corynebacterium glutamicum*, which encodes for lysine-insensitive dihydrodipicolinate synthase (cDHDPS) enzyme, which results in increased lysine production. The corn lines containing this gene are no longer regulated under USDA/APHIS guidelines. Under this exemption from state permit, Monsanto Company will be allowed to commercially use these lysine enhanced corn lines without further regulation. For additional information contact Mary Hanks, Minnesota Department of Agriculture, 651/201-6277, mary.hanks@state.mn.us

Transgenic Herbicide Tolerant Soybean - Commercial Use Exemption

Monsanto Company has requested an exemption from the Minnesota Department of Agriculture's Genetically Engineered Organism Release Permit for herbicide tolerant soybean lines derived from transformation event MON 89788. These soybean lines contain the stably integrated gene, *cp4 epsps gene*, isolated from *Agrobacterium* sp. Strain CP4, which encodes the production of the enzyme 5-enolpyruvylshikimate-3-phosphate synthase (EPSPS) which allows the plant to tolerate applications of the herbicide glyphosate. The soybean lines containing this gene are no longer regulated under USDA/APHIS guidelines. Under this exemption from state permit, Monsanto Company will be allowed to commercially use these herbicide tolerant soybean lines without further regulation. For additional information contact Mary Hanks, Minnesota Department of Agriculture, 651/201-6277, mary.hanks@state.mn.us

NOTICE OF PUBLIC HEARING BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Petitions of Northern States Power Company d/b/a Xcel Energy and Dairyland Cooperative for Permits to Construct a 115 kV and 161 kV Transmission Line from Taylors Falls to Chisago County Substation

Certificate of Need: Docket Number E-002/CN-04-1176
Route Permit: Docket Number E-002/TL-06-1677

Topics of This Notice

This notice provides the dates, starting times and locations for public hearings for two matters over which the Minnesota Public Utilities Commission (PUC) has jurisdiction. In this consolidated proceeding, the hearings will address: (a) whether the proposed transmission line is needed and in the public interest, and (b) the costs, benefits and impacts of various alternative routes for the proposed transmission line.

This notice also provides additional detail about the public hearings and the procedural requirements of the Office of Administrative Hearings for public hearings on large energy facilities. If you have an interest in this project, please read this notice carefully. If you have questions about the project or upcoming hearings, please contact the appropriate person identified in this notice.

General Information Regarding the Project

The applicant has proposed to upgrade two lines: (1) an existing 69 kV line to a 115 kV transmission line between Chisago County Substation and the Lawrence Creek Substation near Taylors Falls, and (2) an existing 69 kV line to a 161 kV transmission line between the Lawrence Creek Substation and the Minnesota-Wisconsin boundary at Taylors Falls. The continuation of the proposed line from St. Croix Falls to Apple River, Wisconsin, is under the jurisdiction of the Wisconsin Public Service Commission. The length of the proposed project within Minnesota is approximately 18 miles.

Authority and Statement of Issues to Be Decided

The Minnesota Public Utilities Commission is authorized by Minnesota Statute § 216B.243, subd. 2, to issue a Certificate of Need for a large energy facility if the applicant can prove that there is a need for the project. A Certificate of Need is a state permit that is issued upon a determination that construction of an energy facility is in the public interest.

The Minnesota Public Utilities Commission is authorized by Minnesota Statute § 216E.02, subd. 2, to designate routes and issue routing permits for designated routes. When the PUC designates a route, it issues a permit for the construction of a high voltage transmission line specifying the design, routing, right-of-way preparation, and facility construction it deems necessary, along with any other appropriate conditions.

The PUC is required by Minnesota Statutes § 216B.243, subd. 4, and 216E.03, subd. 6, to hold public hearings on such applications.

Public Hearings

An Administrative Law Judge (ALJ) from the Minnesota Office of Administrative Hearings will hold public hearings for the PUC to establish a complete and accurate record for the two consolidated proceedings. Any person who would like to comment on the need for the project or the route proposed by the Applicants can do so at the scheduled public hearings or in writing to the ALJ (see below).

Administrative Law Judge

Judge Eric L. Lipman will preside at the hearings. Judge Lipman's address is: Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, MN 55401-2138, Fax: 612-349-2665. Judge Lipman can be reached by telephone at 612-341-7601 or by electronic mail at: eric.lipman@state.mn.us.

Public Hearing Schedule

A joint public hearing to receive public testimony in both the need and route matters will be convened in two sessions at:

7:00 PM

Tuesday September 4, 2007 and Wednesday, September 5, 2007

Chisago Lakes Area Library

11754 302nd Street

Chisago City, MN 55012

Evidentiary hearings on the Certificate of Need application will also be held in the library on September 4th and 5th beginning at 9:00 am. Evidentiary hearings on the Route Permit Application will be held in the library on September 6th and 7th beginning at 9:00 am.

Each public hearing session will continue until all persons have had the opportunity to present evidence and question witnesses. If needed, the hearing may be recessed and continued by the ALJ, and additional hearing dates may be established by the ALJ in accordance with Minnesota Rules 1405.1400 to 1405.2300. Written comments on the proposals may be submitted to Judge Lipman, at the address listed above, at any time before **4:30 p.m. on September 14, 2007**. After the close of written comment period, Judge Lipman will prepare a report and make a recommendation to the Public Utilities Commission regarding Xcel Energy's proposal.

Conduct of Hearing

During the public hearings, members of the public may offer either oral or written testimony, offer exhibits for inclusion in the public hearing record, and ask questions of the applicants. Members of the public need not become parties or formal participants in order to participate in the public hearings of either docket, or in the Rule 4400.2850 evidentiary hearings in the Route Docket.

Any person who wishes to question a witness but does not want to ask the questions personally may submit questions in writing to the ALJ, who will then question the witness. Questions may be submitted during the hearing or may be sent to the ALJ in advance of the hearing. For more information about participation as a member of the public, contact the PUC's or DOC's Public Advisor (see below).

Additional Information: For additional information regarding the application for a Certificate of Need, or if you need an accommodation for a disability or a language interpreter, please contact Bret Eknes, Minnesota Public Utilities Commission, 121 7th Place E., Suite 350, St. Paul, MN 55101-2147, telephone: (651) 201-2236.

For additional information regarding the application for a transmission line route, please contact David Birkholz, Project Manager, Minnesota Department of Commerce, 85 7th Place E., Suite 500, St. Paul, MN 55101-2198, telephone: (651) 296-2878, or Deb Pile, Public Advisor, also at the Department of Commerce, telephone:(651-297-2375). A copy of the Permit Application is available at the Chisago Lakes Area Public Library, 11754 302nd Street, Chisago City, and online at: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=18938>. You may register on this same web site to be added to the mailing list associated with this project and to receive copies of future notices.

NOTICE OF AVAILABILITY OF THE ENVIRONMENTAL ASSESSMENT

**In the Matter of the Xcel Energy and Dairyland Power Cooperative
Applications for a Route Permit and a Certificate of Need
for the Chisago County to Apple River 115/161 kV HVTL Project**

Issued August 20, 2007

PLEASE TAKE NOTICE that the Environmental Assessment (EA) has been completed for the Chisago Transmission project and is available to the public. The EA addresses potential human and environmental

impacts of the proposed high voltage transmission line (HVTL) project and alternatives. Copies of the EA and other relevant documents are accessible at:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=18938>

Paper copies must be requested from the Minnesota Department of Commerce (DOC) staff listed at the end of this notice.

Project Description

Xcel Energy proposes to upgrade the existing 69 kV transmission line from the Chisago County Substation to the St. Croix River in Taylors Falls, Minnesota to higher voltages. The project would rebuild the 69 kV to 115 kV beginning west of Lindstrom to a new Lawrence Creek Substation west of Taylors Falls. The line would be rebuilt to 161 kV from that point to where it crosses the St. Croix River into Wisconsin. The line would be undergrounded down the embankment to the river.

The transmission line upgrades are primarily along existing rights-of-way; however, a small section of new alignment would be required for the project to interconnect the new substation to the existing transmission system. A minor addition to the footprint of the Lindstrom Substation and minor modifications to the existing Chisago County, Lindstrom and Shafer substations would also be required to accommodate the new transmission lines.

PUC Review Process

Xcel Energy and Dairyland Power Cooperative have submitted an Application for a Certificate of Need and an Application for a Route Permit to the Public Utilities Commission. DOC has been assigned to hold public meetings and prepare an environmental assessment (EA) of the proposed transmission lines under the alternative review process found in Minnesota Rules Chapter 4400.

DOC has prepared the EA, analyzing the environmental impacts and alternatives to the proposed transmission project and proposed route. The EA considers issues related both to the need for the project and issues related to routing.

A Public Hearing presided over by Administrative Law Judge Eric Lipman from the Office of Administrative Hearings will be held in Lindstrom, MN beginning September 4, 2007.

Project Contacts and Information

For more information about the process, the project or to place your name on the project mailing list, contact the DOC project manager, David Birkholz (Tel: 651-296-2878 or david.birkholz@state.mn.us) or Deborah Pile (Tel: 651-297-2375 or deborah.pile@state.mn.us) Department of Commerce, 85 7th Place East, Suite 500, Saint Paul, Minnesota 55101-2198. Other contact information: Toll-Free Tel: 1-800-657-3794, Fax: 651-297-7891 or TTY: Minnesota Relay Service, 800-627-3529, and ask for the DOC.