



March 27, 2006



## ENVIRONMENTAL ASSESSMENT WORKSHEETS

*Comments due on April 26, 2006*

### **Harris Wastewater Treatment Facility Improvements**

Description: The city of Harris, Chisago County, is proposing to construct a new mechanical wastewater treatment facility (WWTF) to replace the existing stabilization pond system. The average wet weather design flow capacity of the new WWTF will be 0.241 million gallons per day. This will provide enough capacity to accommodate anticipated 20-year growth.

A copy of the Environmental Assessment Worksheet will be posted on the Minnesota Pollution Control Agency website, at the following: <http://www.pca.state.mn.us/news/eaw/index.html>

RGU: Minnesota Pollution Control Agency

Contact: William J. Lynott, Project Manager, Environmental Review and Operations Section, Regional Division, 520 Lafayette Road N, St. Paul, MN 55155; 651-296-7794

### **Buffalo Lake Energy, LLC**

Description: Buffalo Lake Energy, LLC proposes to construct a dry mill ethanol production facility co-located with an existing Cargill Ag Horizons facility in Martin County, with a maximum capacity of 118 million gallons per year of 200-proof ethanol. The facility will produce 360,000 tons per year of distiller's dried grains with solubles as a co-product that would be used as animal feed.

A copy of the Environmental Assessment Worksheet, Air Quality permit and Water Quality permit will be posted on the Minnesota Pollution Control Agency website, at the following: <http://www.pca.state.mn.us/news/eaw/index.html>

RGU: Minnesota Pollution Control Agency

Contact: Jim Sullivan, Project Manager, Environmental Review and Operations Section, Regional Division, 520 Lafayette Road, St. Paul, MN 55155; 651-297-1788

### **Shakopee – CSAH 83 Trunk Sanitary Sewer**

Description: The city of Shakopee is proposing to construct a new trunk sanitary sewer along CSAH 83 to serve

#### **ABOUT THE EQB MONITOR**

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/>

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Submittal deadline: April 3, 2006



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future growth areas located to the southwest. The new interceptor is approximately 4,000 feet in length and will provide flow capacity of up to 2.04 million gallons per day.

A copy of the Environmental Assessment Worksheet will be posted on the Minnesota Pollution Control Agency website, at the following: <http://www.pca.state.mn.us/news/eaw/index.html>

RGU: Minnesota Pollution Control Agency

Contact: William J. Lynott, Project Manager, Environmental Review and Operations Section, Regional Division, 520 Lafayette Road N, St. Paul, MN 55155; 651-296-7794

### **Big Lake Wastewater Treatment Facility Expansion**

Description: The city of Big Lake is proposing an expansion of their existing wastewater treatment facility (WWTF) to treat an average wet weather (AWW) design flow to 2.19 million gallons per day (mgd). The expansion will occur on the site of the existing WWTF and continue to discharge to the Mississippi River. Currently, the facility has an AWW design flow of 0.840 mgd.

A copy of the Environmental Assessment Worksheet will be posted on the Minnesota Pollution Control Agency website, at the following: <http://www.pca.state.mn.us/news/eaw/index.html>

RGU: Minnesota Pollution Control Agency

Contact: Debra Moynihan, Project Manager, Environmental Review and Operations Section, Regional Division, 520 Lafayette Road N, St. Paul, MN 55155; 651-296-8420

### **Granite Falls Energy, LLC – Production Expansion**

Description: Granite Falls Energy, LLC, a fuel-ethanol conversion facility, is proposing to expand their permitted capacity from 45 million gallons per year (MMGY) to 57.2 MMGY of 200-proof fuel-grade ethanol. The facility will produce 207,700 tons per year of distiller's dried grains with solubles as a co-product that will be used as animal feed.

A copy of the Environmental Assessment Worksheet, Air Quality permit and Water Quality permit will be posted on the Minnesota Pollution Control Agency website, at the following: <http://www.pca.state.mn.us/news/eaw/index.html>

RGU: Minnesota Pollution Control Agency

Contact: Jim Sullivan, Project Manager, Environmental Planning, Review and Operations Section, Regional Environmental Management Division, 520 Lafayette Road N, St. Paul, MN 55155; 651-297-1788

### **Flint Hills Resources - #3 Crude Unit Expansion Project**

Description: Flint Hills Resources proposes to increase processing of crude oil at their Pine Bend Refinery in Rosemount. Expanded production is required to meet increasing demand for products, and will require the construction of a new vacuum heater and pre-flash tower that will take place within an existing production unit within the main refinery process area.

A copy of the Environmental Assessment Worksheet will be posted on the Minnesota Pollution Control Agency website, at the following: <http://www.pca.state.mn.us/news/eaw/index.html>

RGU: Minnesota Pollution Control Agency



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Contact: Kelly Garvey, Project Manager, Environmental Review and Operations Section, Regional Division, 520 Lafayette Road N, St. Paul, MN 55155; 651-296-7796

### **Brookside Cove**

Description: Brookside Cove is a 233-unit townhome/residential subdivision on 63 acres in Section 3, Township 118N, Range 26, City of Montrose, Wright County, Minnesota. The project located south of Trunk Highway 12 and west of Clementa Avenue SW. The EAW may be reviewed at the City Hall of Montrose, 311 Buffalo Avenue South, Montrose, MN 55363.

RGU: City of Montrose

Contact: Bradley C. DeWolf, P.E., City Engineer, Bolton & Menk, Inc., 2040 Highway 12 East, Willmar, MN 56201; 320-231-3956

### **Liberty Heights Estates of Elk River (Holzem Property)**

Description: The proposed project is a 444-unit (1/4 – 1/2 acre average lot size) single family residential development, City Park and proposed school site on 260 acres in Sherburne County, City of Elk River, Minnesota. The proposed development will be served with municipal water, sanitary and storm sewers, street and utilities typical of an urban setting.

RGU: City of Elk River

Contact: Rebecca Haug, Environmental Administrator, 13065 Orono Parkway, Elk River, MN 55330; 763-635-1000; fax: 763-635-1090; e-mail: rhaug@ci.elk-river.mn.us

## **PETITIONS 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 Nisswa, The Woods of Nisswa
- City of Ely, city/county garage project

## **EAW NEED DECISIONS**

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

- Cass County Planning Commission, The Ridge, Ordered.

## **EIS NEED DECISIONS**

The responsible governmental unit has determined the following projects do not require preparations 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.

- Sand Hill River Watershed District Board of Managers, Sand Hill River Fish Passage Improvement Project, March 7, 2006 (January 30, 2006)
- Winona City Planning Commission, Winona Commercial Harbor, February 27, 2006 (January 31, 2005)



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- Eagle Lake City Council, Eagle Ridge Development, March 6, 2006 (January 30, 2006)
- Blaine City Council, The Rushes, March 2, 2006 (December 19, 2005)

## FINAL AUAR ADOPTED

The City of Baxter adopted the North Baxter Final Alternative Areawide Urban Review (AUAR) and Mitigation Plan on March 8, 2006. The Baxter City Council adopted the Final AUAR and Mitigation Plan with Resolution number 06-3/1-2, which is enclosed with this memo. Questions regarding the document may be directed to William S. Deblon, Community Development Director, City of Baxter, P.O. Box 2626, 13190 Memorywood Drive, Baxter, MN 56425; 218-855-5111; fax: 218-855-5103; e-mail: bill.deblon@ci.baxter.mn.us

## AMENDED SCOPING DECISION

### **Proposed Construction of a New Minnesota River Crossing Connecting TH 169 and New TH 212 in the Vicinity of the Existing TH 41 – Scott and Carver Counties, Minnesota**

Description: The Minnesota Department of Transportation approved a Scoping Decision Document for the proposed project in February 2005. Since that approval one of the alternative corridors has been revised to minimize environmental and development impacts. In its revised form, a portion of the central corridor alternative closely follows existing TH 41 between TH 169 and the Minnesota River, bends west through the north edge of the Minnesota Valley National Wildlife Refuge near downtown Chaska, and connects to New TH 212 northeast of the future TH 212/County Road 147 interchange.

This document will be available on the project website: [www.projects.dot.state.mn.us/srf/041](http://www.projects.dot.state.mn.us/srf/041)

RGU: Minnesota Department of Transportation

Contact: Lynn Clarkowski, Project Manager, 1500 West County Road B-2, Roseville, MN 55113; 651-634-2103; e-mail: Lynn.Clarkowski@dot.state.mn.us

## FINAL EIS AVAILABLE

The Department of Commerce has issued the Final Environmental Impact Statement (EIS) on the proposal by Xcel Energy to build an Independent Spent Fuel Storage Installation at its Monticello Nuclear Generating Plant. The plant is located in Monticello, Minnesota, in Wright County.

Xcel Energy applied to the United States Nuclear Regulatory Commission (NRC) for license renewal of the Monticello Nuclear Generating Plant to continue operating the Plant for an additional 20 years past the end of the current license in 2010.

Xcel Energy also applied to the Minnesota Public Utilities Commission (PUC) for a Certificate of Need (CON) to establish the dry cask storage system, an Independent Spent Fuel Storage Installation (ISFSI), at the Plant. This storage system for spent nuclear fuel canister assemblies is needed in order for the plant to operate past the end of its current NRC license. This EIS is required as part of the PUC CON process.

The EIS evaluated radiation and non-radiation environmental effects, alternatives to the ISFSI and alternatives to the Monticello Plant, including an all-renewable distributed generation alternative. Analysis of existing data revealed no adverse effects from current plant operations. Additionally, no adverse effects were found to be expected from the spent fuel storage facility. None of



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the four off-site disposal options analyzed appeared to be viable. All energy generation alternatives were found to have greater impacts than continuation of the Monticello Plant.

A copy of the EIS is available online at the PUC website: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=9901>

#### **Final EIS Comments Due By April 10, 2006**

Formal comments on the adequacy of the Final EIS will be accepted until **April 10, 2006**. Please refer to Docket No. E002/CN 05-123 in all correspondence. Comments should be sent by e-mail or U.S. mail to Ms. Sharon Ferguson, Department of Commerce, 85 7<sup>th</sup> Place, Suite 500, St. Paul, MN 55101-2198; e-mail: [Sharon.ferguson@state.mn.us](mailto:Sharon.ferguson@state.mn.us)

Following the comment period, the Commission of the Department of Commerce will determine the adequacy of the Final EIS in accordance with Minnesota Rule 4410.2800.

## **EIS ADEQUACY DECISIONS**

### **University of Minnesota On-Campus Football Stadium**

As the Responsible Government Unit, the University of Minnesota Board of Regents on March 10, 2006 has determined that the FEIS for the proposed On-Campus Football Stadium is adequate under Minnesota law.

As described in Minnesota Rules 4410.2800, subpart 4, a FEIS shall be determined adequate if it:

- A. addresses the potentially significant issues and alternatives raised in scoping so that all significant issues for which information can be reasonably obtained have been analyzed in conformance with part 4410.2300, item G and H;
- B. provides responses to the substantive comments received during the DEIS review concerning issues raised in scoping; and;
- C. was prepared in compliance with the procedures of the act and parts 4410.0200 to 4410.6500.

All conditions specified above have been satisfied. Copies of the Adequacy Determination are being distributed pursuant to Minnesota Rules 4410.2800 Subp. 6.

### **Aggregate Industries Rollag Area Sand & Gravel Mine Expansion**

The Becker County Board has made its Adequacy Determination for the Final Environmental Impact Statement (Final EIS) for proposed expansion of an existing sand and gravel mining operation. Aggregate Industries proposes to expand its existing "Rollag" mine onto approximately 1,722 acres of land located in Cormorant Township, Becker County; Parke Township, Clay County and Scambler Township, Otter Tail County. The proposed expansion would take place over approximately 30 years.

This action by the County Board concludes the environmental review process for this project. If you have any questions or need additional information on this project, please contact Patricia L. Johnson, Becker County Zoning Administrator, 835 Lake Avenue, Detroit Lakes, MN 56502; 218-846-7314; fax: 218-846-7266

## **NOTICES**

### **NOTICE OF INTENT TO ADD AREAS TO STATE METALLIC MINERALS PREFERENCE RIGHTS LEASE AVAILABILITY LIST**

Notice is hereby given of the intent to add areas to the preference rights lease availability list on May 1, 2006. Leases to explore for, mine and remove metallic minerals may be obtained by application for all lands included on the preference rights lease availability



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list. Included in the areas to be added to the list may be trust fund lands, lands and minerals forfeited for non-payment of taxes, lands and minerals otherwise acquired, and other state-owned land under the jurisdiction of the Commissioner of Natural Resources, and located in portions of Itasca, Koochiching, Lake, Lake of the Woods and Saint Louis Counties. No land or water areas within the Boundary Waters Canoe Area Wilderness or Voyageurs National Park are included in the areas to be added to the preference rights lease availability list.

The preference rights leasing system is in addition to the public lease sale process. All lands to be added to the preference rights availability list have been offered at a public lease sale within the last two years.

The preference rights availability list will be maintained in the office of the Division of Lands and Minerals, Department of Natural Resources, 500 Lafayette Road, St. Paul, MN 55155-4045. The list will be available for inspection by the public and interested parties during regular business hours. Those interested in obtaining a copy of the preference rights availability list may obtain one by submitting a request to the Commissioner. The Commissioner shall charge a fee for each copy of the list based on copying and mailing costs. The list will also be available on the internet through the DNR website at [www.dnr.state.mn.us/lands\\_minerals](http://www.dnr.state.mn.us/lands_minerals).

Information on procedures and applications for a preference rights lease may be obtained from the Commissioner of Natural Resources, c/o Division of Lands and Minerals, 500 Lafayette Road, St. Paul, MN 55155-4045; 651-259-5959. Email inquiries may be sent to [Kathy.lewis@dnr.state.mn.us](mailto:Kathy.lewis@dnr.state.mn.us). Each application must be accompanied by a certified check, cashier's check, or bank money order, payable to the Department of Natural Resources in the sum of the following amounts: a) an application fee of \$100.00 for each mining unit for which a preference rights lease is requested; and b) rental for on full calendar year for each mining unit for which a preference rights lease is requested.

Applications may be submitted in person or by mail to the office of the Division of Lands and Minerals, Fourth Floor, DNR Building, 500 Lafayette Road, St. Paul, MN 55155-4045. Applications will only be accepted during the hours of 8:30 a.m. to 4:00 p.m. on regularly scheduled business days. Applications received at any other time will not officially accepted until the next regularly scheduled business day, and the Commissioner assumes no responsibility for applications submitted in person at any time other than the time specified.

Evidence of qualification to hold a state mineral lease, as specified in Minnesota Rules, part 6125.0410, must be submitted with the application. The rules state that a lease will only be issued to an applicant qualified to do business in Minnesota and qualified to conduct exploratory borings in Minnesota. Within ten days after receipt of an application, the Commissioner will send written acknowledgement that the application was received. The Commissioner may request evidence that the lease applicant is technically and financially capable of performing under the terms of a state mineral lease. The requested evidence must be provided within 45 days of the request from the Commissioner or the application will be rejected.

A lease shall be awarded by the Commissioner, with the approval of the State Executive Council, to the first qualified applicant who files an application that is not rejected. The right is reserved to the State, through the Executive Council, to reject any and all applications for preference rights leases. Preference rights leases shall be in the form set out in Minnesota Rules, part 6125.0700. The rental and royalty rates shall not be less than prescribed in Minnesota Rules, part 6125.0700. Upon the award of a lease, the application fee submitted with the application will be deposited with the State Treasurer as a fee for the lease. If the application for a preference right lease is rejected, the rental payment accompanying the application will be returned to the applicant. The application fee will not be refunded under any circumstances.

The purpose of Minnesota's metallic minerals rules is to promote and regulate the prospecting for, mining and removal of metallic minerals on state-owned and state-administered lands. These rules, and the leases issued under the rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of minimum rentals which increase with the passage of time, the payment of royalty for all ore mined and removed, the submission of data and other reports, and the submission of exploration plans. In addition, the state lessee must comply with all applicable regulatory laws.



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**Notifications of Release of Genetically Engineered Organisms**

File Number	Company	Crop	Project	County
06-NO-014	Syngenta	Wheat	Disease Resistance	Goodhue
06-NO-015	Syngenta	Corn	Insect Resistance	Mower, Rice (2), Nicollet, Freeborn (4), Kandiyohi (3), Redwood (2), Dakota (3), Steele, Renville, Nobles (2), Goodhue
06-NO-016	Monsanto	Rapeseed	Herbicide Tolerance	Otter Tail, Wilkin (2)
06-NO-017	Monsanto	Soybean	Herbicide Tolerance	Redwood
06-NO-018	Syngenta	Corn	Herbicide Tolerance	Mower
06-NO-019	Monsanto	Rapeseed	Herbicide Tolerance	Polk, Pennington, Red Lake, Norman, Mahnomen
06-NO-020	Monsanto	Soybean	Herbicide Tolerance and Modified Oil Content	Redwood, Clay, Mahnomen, Norman
06-NO-021	Monsanto	Rapeseed	Herbicide Tolerance and Yield Increase	Polk, Pennington, Red Lake, Norman, Mahnomen
06-NO-022	Syngenta	Corn	Herbicide Tolerance	Mower, Rice (2), Nicollet, Renville (2), Dakota, Redwood, Brown, Goodhue
06-NO-023	Syngenta	Corn	Altered Seed Composition	Mower, Rice (2), Nicollet, Dakota, Steele, Brown, Goodhue, Kandiyohi (2)
06-NO-024	Syngenta	Corn	Herbicide Tolerance and Environmental Stress Reduction	Mower, Rice (2), Nicollet, Dakota, Steele, Brown, Goodhue, Kandiyohi (2)
06-NO-025	Syngenta	Corn	Drought Tolerance	Mower, Rice (2), Nicollet, Dakota, Steele, Brown, Goodhue, Kandiyohi (2)



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06-NO-026	Monsanto	Rapeseed	Yield Increase	Polk, Pennington, Red Lake, Mahnomen, Norman
06-NO-027	Kansas State University	Wheat	Disease Resistance	Polk
06-NO-028	Monsanto	Soybean	Herbicide Tolerance	Grant, Lac qui Parle, Blue Earth, Rice, Dodge, Mower, Jackson, Martin, Yellow Medicine, Renville (2), Kandiyohi
06-NO-029	Monsanto	Rapeseed	Herbicide Tolerance and Modified Oil Composition	Polk, Pennington, Red Lake, Mahnomen, Norman
06-NO-030	Pioneer	Corn	Multiple phenotypes and combinations of: increased yield, yield stability, and oil content; altered maturity and fertility; altered plant development and stalk attributes; increased nitrogen use efficiency; disease and insect resistance; phytate reduction; herbicide tolerance; selectable and visible markers; altered protein, starch, lipid, oil profile, and amino acid composition; altered fatty acid and lysine levels; altered cell wall; improved food, feed, and fiber quality; and novel protein production	Blue Earth, Clay (2), Murray, Freeborn, Steele, Kandiyohi (2), Lac qui Parle, Stearns, Wright, Meeker, Goodhue
06-NO-031	University of Minnesota	Barley	Disease Resistance	Ramsey
06-NO-032	Kansas State University	Wheat	Disease Resistance	Polk
06-NO-033	Syngenta	Corn	Insect Resistance and Altered Seed Composition	Mower, Rice (2), Nicollet, Dakota, Steele, Brown, Goodhue, Kandiyohi (2)
06-NO-034	Syngenta	Sugarbeet	Disease Resistance	Polk



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06-NO-035	Syngenta	Corn	Herbicide and Insect Tolerance	Kandiyohi (2), Rice (2), Mower, Brown, Steele, Goodhue, Dakota
06-NO-036	Monsanto	Rapeseed	Herbicide Tolerance	Polk, Pennington, Red Lake, Mahnomen, Norman
06-NO-037	Syngenta	Corn	Insect Resistance	Kandiyohi, Lac qui Parle (2), Nobles (3), Swift, Jackson, LeSeuer, Mower, Meeker, Redwood, Cottonwood, Renville, Winona, Blue Earth

For more information contact Mary Hanks, Minnesota Department of Agriculture, 625 Robert Street N, St. Paul, MN 55155; 651-201-6277; e-mail: [mary.hanks@state.mn.us](mailto:mary.hanks@state.mn.us).

OAH Docket No. 12-2000-17017-2

**STATE OF MINNESOTA**  
**OFFICE OF ADMINISTRATIVE HEARINGS**  
**FOR THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES**

In the matter of the Restoration Orders to Fabio and Kathleen Lopez

**AMENDMENT TO NOTICE AND  
ORDER FOR PREHEARING  
CONFERENCE AND HEARING**

TO: Fabio and Kathleen Lopez, and their attorney Steven Lodge, Nash & Lodge, P.L.L.P., 2705 Bunker Lake Blvd NW, Suite 107, Andover, MN 55304

FABIO AND KATHLEEN LOPEZ ARE HEREBY NOTIFIED that the Minnesota Department of Natural Resources (“Department”) is amending its Notice and Order for Prehearing Conference and Hearing dated February 23, 2006.

The Department’s Notice and Order for Prehearing Conference and Hearing alleged that the Department issued restoration orders to Fabio and Kathleen Lopez with respect to their property located at 27929 145<sup>th</sup> Street, Zimmerman, MN 55398. The restoration orders in fact relate to the Lopezes’ property located in the Southwest Quarter of the Southeast Quarter of Section 6, Township 137 North, Range 28 West, Crow Wing County, Minnesota.



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Minnesota Environmental Quality Board  
300 Centennial, 658 Cedar St.  
St. Paul, MN 55155-1388

**Phone:** 651-201-2480

**Fax:** 651-296-3698

**E-mail:** <mailto:eqb.monitor@state.mn.us>

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