



August 7, 2000

## Environmental Assessment Worksheets

*Comments due on September 6, 2000*

### Whisperwood Residential Subdivision

Description: This project proposes to plat 36 non-riparian residential lots on 121 acres. The new plat will be called Whisperwood. The developer also owns 159 acres contiguous to this proposed plat that could potentially be developed in the future.

RGU: Beltrami County Planning & Zoning

Contact: Bill Patnaude, Environmental Services Officer, 619 Beltrami Ave., Bemidji, MN 56601; 218-759-4158

### Balfany Residential Development

Description: Contractor Property Developers Company is proposing construction of 150 single-family residential lots on 85 acres located between School and Mud Lakes in Albertville, Minnesota. The site currently includes cropland, woodland, wetland and grassland. Development plans include wetland impact and mitigation, woodland preservation and seven lake access lots.

RGU: City of Albertville

Contact: Linda Goeb, City Administrator, City of Albertville, PO Box 9, Albertville, MN 55301;

#### 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 also posted on the Environmental Quality Board home page at [www.mnplan.state.mn.us](http://www.mnplan.state.mn.us)

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Next issue: August 21, 2000  
Submittal deadline: August 14, 2000

763-497-3384

### Benton County Culvert Construction and Channel Realignment (S.A.P. 05-599-18)

Description: S.A.P. 05-599-18 consists of the replacement and removal of Bridge L0066 in Alberta Township of Benton County with three lines of 12'X5' Concrete Box Culverts. As part of this project, 900' of Township Road 50 and 200' of the Elk River will be realigned to improve a substandard roadway alignment and improve sight lines.

RGU: Benton County Highway Department

Contact: Andrew Sander, PE, Benton County Highway Engineer, 321 Sixth Ave., PO Box 247, Foley, MN 56329; 320-968-5051

### The Reserve

Description: The Reserve is a residential planned unit development to be located on 124.5-acres west of I-494 and north of the Canadian Pacific Railroad in Plymouth, Minnesota. The project includes 889 attached and 98 detached housing units for a variety of income levels and a new city watertower.

RGU: City of Plymouth

Contact: Kendra Lindahl, Planner, 3400 Plymouth Blvd., Plymouth, MN 55447-1482; 763-509-5453

## EIS Need Decisions

Responsible governmental units have 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*.

- Boulder Ridge Development, Rochester Common Council, July 20, 2000 (May 29, 2000)
- Pamela Lake Project, Minnehaha Creek Watershed District, July 27, 2000 (June 12, 2000)

- Dumont Dairy L.L.P., Minnesota Pollution Control Agency, July 20, 2000 (April 17, 2000)

## 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.

- Guttum Feedlot, Brown County
- Bauerly Co. gravel mine and asphalt plant, Meeker County
- Pike Bay development, St. Louis County

## Draft EIS Notice

### Norman Pointe Office Development

A public meeting will be held at the city of Bloomington in the Council Chambers, 2215 West Old Shakopee Road, at 1:30 p.m. on August 30, 2000. Written or verbal comments on the Draft EIS will be accepted until Friday September 15, 2000 and can be addressed to Bob Hawbaker, Senior Planner, City of Bloomington, 2215 West Old Shakopee Rd., Bloomington, MN 55431; 612-948-8922; fax 612-948-8949 or email: bhawbaker@ci.bloomington.mn.us

## Department of Natural Resources Notice of Hearing

### Alteration of the Cross Section of Knife Lake by Thomas Lindstrom Without a Permit

It is hereby ordered that the public hearing in the matter of the alternation of the cross section of Knife Lake by Thomas Lindstrom without a permit be heard on September 12, 13, 14, 2000, from 9:00 a.m. to 9:00 p.m., by Administrative Law Judge Allan W. Klein, at the Mora Public Library, Basement Level, 200 West Maple Avenue, Mora, Minnesota 55051. Judge Klein's telephone number is 612-341-7600. The Administrative Law Judge will order scheduling of additional proceedings.

The issue for the hearing is whether Mr. Thomas Lindstrom shall be required to comply with the Findings of Fact and Order of the Commissioner of Natural Resources dated

March 22, 2000, directing that Mr. Lindstrom remove all the fill placed below the Ordinary High Water Level (hereinafter OHWL) of Knife Lake as directed in the Commissioner's order or, in the alternative Mr. Lindstrom shall submit to the DNR Waters Brainerd Regional Office, an After-the-Fact permit application to retain a portion of the natural field stone rock riprap placed strictly for shore protection purposes along the shoreline. The application shall contain sufficient documentation from a qualified specialist that justifies the engineering feasibility of the riprap concerning size, distance waterward and slope. The application will include removal of all of the crushed rock fill and the sand and gravel fill at the boathouse and access area which was placed below the OHWL of Knife Lake. Mr. Lindstrom must also obtain any required approvals from Kanabec County and the U.S. Army Corps of Engineers, pay all associated permit and inspection fees and refrain from future violations of Minnesota Statutes Chapter 103G, relating to Knife Lake or to other public waters of the State of Minnesota. The location of the project is Lots 11-15, Gilbertson's River Mouth, Section 10, Township 40 north, Range 24 west, Kanabec County, Minnesota.

The relevant laws and rules include, but need not be limited to, Minnesota Statute Chapter 103G with particular attention to 103G.005, 103G.201 and 103G.245; and Minnesota Rules Chapter 6115 with particular attention to Minnesota Rules 6115.0190 and Minnesota Rules 6115.0191.

The hearing is held pursuant to the Commissioner of Natural Resources' authority in Minnesota Statute 1036.251, 1036.311 and 1036.315 and will be conducted pursuant to Minnesota Statute Chapter 14 and Minnesota Rules 1400.5100 to 1400.8400, which provides for the parties procedural rights, and which may be purchased from Minnesota's Bookstores, 117 University Avenue, St. Paul, Minnesota 55155; 651-297-3000.

The parties to the hearing are the Department of Natural Resources, Thomas Lindstrom and such other persons granted permission to intervene. Parties to the hearing must file notices of appearances within 20 days of the date of the service of this notice. Others wishing to be parties may petition to intervene under Minnesota Rules 1400.6200. The parties must bring to the hearing all documents, records and witnesses they need to support their position. Subpoenas may be available to compel the attendance of witnesses or the production of documents, pursuant to Minnesota Rules 1400.7000.

The person to contact to discuss informal disposition of the case pursuant to Minnesota Rules 1400.5900 or discovery procedures pursuant to Minnesota Rules 1400.6700 and 1400.6800 of the above described rules is Joan M. Eichhorst,

Assistant Attorney General, 445 Minnesota Street, Suite 900,  
St. Paul, Minnesota 55101; 651-296-0697.

All parties have the right to be represented by themselves, by legal counsel, or by a person of their choice if not otherwise prohibited as the unauthorized practice of law. All persons who are affected by the alteration of the cross-section of Knife Lake will have an opportunity to testify and introduce exhibits, whether parties or not. If non-public data is admitted into evidence, it may become public unless a party objects and asks for relief under Minnesota Statute 14.60 subdivision 2. The failure of a party to appear at the hearing may result in issues set out herein being deemed proved.

After the hearing, the Administrative Law Judge will issue Findings of Fact, Conclusion and Recommendations for the Commissioner of Natural Resources, who will then issue a final decision. The Commissioner's final decision may then be appealed to the Minnesota Court of Appeals.

If you need accommodations for a disability please contact the Office of Administrative Hearings at 612-341-7600 or TDD: 612-341-7346.

## Transgenic Virus and Colorado Potato Beetle Resistant Potato - Commercial Use Exemption

Monsanto Company has requested an exemption from the Minnesota Department of Agriculture's Genetically Engineered Organism Release Permit for Potato Leaf-Roll Virus (PLRV) and Colorado potato beetle resistant potato line, RBMT22-82 (known as NewLeaf® Plus). This potato line contains two stably integrated genes, *cryIIIa* and *orfl/orf2*, which confer resistance to the insect and the virus, respectively. The *cryIIIa* gene, isolated from the bacterium, *Bacillus thuringiensis* subsp. *tenebrionis*, encodes the protein, cryIIIa, which is toxic to the Colorado potato beetle. The second gene, *orfl/orf2*, which encodes protease and replicase proteins, was isolated from the Potato Leaf-Roll Virus. Expression of this gene in potato protects the plants from infection by the virus. Also in the inserted sequence is a selectable marker gene, *CP4 EPSPS*, isolated from *Agrobacterium* sp., encoding the enzyme, 5-enol-pyruvylshikimate-3-phosphate synthase that confers resistance to the herbicide, glyphosate. This potato line is no longer regulated under USDA/APHIS guidelines. Under this exemption from state permit, Monsanto Company will be allowed to commercially use this virus and insect resistant potato line without further regulation. For additional information contact Mary Hanks, Minnesota Department of Agriculture, 651-296-1277.



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

Phone: 800-657-3794 or 651-296-2603  
Fax: 651-296-3698  
E-mail: [eqbmonitor@mnplan.state.mn.us](mailto:eqbmonitor@mnplan.state.mn.us)

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