



## Environmental Assessment Worksheets

*Comments due on August 21, 2002*

### Cori Bothun Hog Farm

Description: The owner proposes to construct and operate three 41x208 foot total confinement barns which will house 1,000 hogs each for a total of 900 animal units. The barns will be open-sided with curtains on the north and south sides. The barns will have fans that will draw air from the outside, the soffits, and the roof vents into the barn where it will exhaust from the manure storage pit. Computers will control the curtains and fans and ventilation rates will vary with temperature, humidity and the heat given off by the hogs. When required heat will be added using liquid propane gas heaters.

RGU: Lac Qui Parle County Commissioners

Contact: Albert Hoffman, Lac Qui Parle County Courthouse, Environmental Office, 600 6<sup>th</sup> St., Madison, MN 56256-1295; 320-598-3132

### Waterville Plant

Description: Simon Energy I, LLC proposes to own, construct, and operate a 46-megawatt, combined-cycle (CCTG), natural gas electric generating plant on a four acre site located on the Reliant Energy-Minnegasco's property at the

#### 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)

Vol. 26, No. 15

Next issue: August 5, 2002

Submittal deadline: July 29, 2002

intersection of Highway 13 and 270<sup>th</sup> Street SW, south of Waterville, Minnesota.

The plant will consist of one General Electric (GE) PG5361P Frame 5 simple cycle combustion turbine generator (CTG) package, one heat recovery steam generator (HRSG) with associated steam turbine generator (STG). The HRSG will be equipped with an integral selective catalyst reduction (SCR) module for combined cycle operation. The CTG bypass stack will be 50 feet tall with an outer diameter of 10 feet, and the HRSG stack will be 60 feet tall with an outer diameter of 10 feet. The plant will have a backup diesel generator of approximately 750 kW that will operate on number 2 fuel oil. The diesel generator will provide black start capability to the plant during system wide blackouts. The fuel oil will be stored onsite in an above ground storage tanks with a total capacity of less than 1,500 gallons.

The electrical output will be connected to the Xcel Energy existing 115 kV transmission line located along Highway 13. The new transmission line will head directly west from the plant's substation approximately 500 feet to the existing Xcel Energy transmission line. A natural gas pipeline will connect the plant to the existing Reliant Energy-Minnegasco transmission natural gas pipeline located to the north of the project site. The new 6 inch lateral gas pipeline will be approximately 400 feet long and operate at a maximum pressure of 485 psi.

RGU: Minnesota Environmental Quality Board

Contact: William Storm, EQB, 300 Centennial Office Building, 658 Cedar St., St. Paul, MN 55155; 651-296-9535

### The Meadows at Dobbins Creek (formerly Red Rock Estates II)

Description: A 132-acre residential development is proposed for an area east of the city of Austin in Red Rock Township, Mower County, Minnesota. The development will consists of single-family residences on lots ranging between 1 1/2 and 3 acres in size. All residences will be connected to shared wells and a cluster septic system.

RGU: Mower County

Contact: Daryl Franklin, Planning/Zoning Director, 201 1<sup>st</sup> St. NE., Austin, MN 55912; 507-437-9527

### **Cedar River Estates**

Description: A 47-acre residential development is proposed for an area northwest of the town of Lansing in Udolpho Township, Mower County, Minnesota. The development will consist of single-family residences on lots ranging from 1 ½ to 3 ½ acres in size. All residences will be connected to shared wells and a community septic system.

RGU: Mower County

Contact: Daryl Franklin, Planning/Zoning Director, 201 1<sup>st</sup> St. NE., Austin, MN 55912; 507-437-9527

### **Heritage Square**

Description: An EAW has been prepared for a proposal by Heritage Development of Minnesota. The proposed development involves 154 acres consisting of 333 single-family residential units and 317 multi-family units and 2 acres of commercial development, located East of Maple Street and West of Hall Avenue and North of CSAH 81.

Copies of the complete EAW are available for review in the City Clerks office at Northfield City Hall, at the Northfield Public Library and at the city of Northfield website at [www.ci.northfield.mn.us](http://www.ci.northfield.mn.us).

RGU: City of Northfield

Contact: Peter Waskiw, City Planner, City of Northfield, 801 Washington St., Northfield, MN 55057; 507-645-3005 or email: [peter.waskiw@ci.northfield.mn.us](mailto:peter.waskiw@ci.northfield.mn.us)

### **Greg Bothun Hog Feedlot Expansion - Baxter Township, Lac Qui Parle**

Description: Greg Bothun proposes to construct and operate a 1,200 head (360 animal units) total confinement hog finishing barn with under the barn concrete pit manure storage in Baxter Township in Lac Qui Parle County. The barn would be located south of his two existing 1,200 head hog finishing barns and near another barn housing 160 hogs (48 animal units) and on other barn housing 280 hogs (84 animal units). With the construction of the third barn there would be 4,040 hogs or 1,212 animal units on site. A copy of the EAW will be posted on the Minnesota Pollution Control Agency web site, at the following:  
<http://www.pca.state.mn.us/news/eaw/index.html>

RGU: Minnesota Pollution Control Agency

Contact: Kevin Kain, Project Manager, Operations and Environmental Review Section, Regional Environmental Management Division, MPCA, 520 Lafayette Rd., St. Paul, MN 55155; 651-296-7432

### **Lakes Broadcasting Company Broadcast Tower**

Description: Lakes Broadcasting, Inc. proposes to construct a 780 foot guyed communications tower on a 40 acre site in the Agriculture zoning district to be used for microwave communication with its Forest Lake, Minnesota radio station.

RGU: Rice County

Contact: Trent McCorkell, Planning and Zoning, 320 3<sup>rd</sup> St. NW., Suite 9, Faribault, MN 55021-6145; 507-332-6113

## **Federal EA Available**

### **Federal Correctional Institution Sandstone**

The Federal Bureau of Prisons (FBOP) has prepared an Environmental Assessment for a proposed expansion of the Federal Correctional Institution (FCI) Sandstone. In order to extend the life of the facility and to substantially reduce operating and maintenance costs, the FBOP has established a "50+ Long Range Master Plan Program" for FCI-Sandstone, Minnesota. Seven phases, infrastructure plus six phases for the redevelopment of the site, are outlined in the FCI-Sandstone Long Range Master Plan.

The study area for this Environmental Assessment (EA) encompasses portions of the existing secure area, expansion of the secure area and storm water and water treatment outside the expanded secure area. In total, the area of study encompasses approximately 22.3 acres.

Comments from the Draft EA have been incorporated into the final document. The comment period for the Environmental Assessment and FONSI is 30 days. The closing date for comments is August 21, 2002.

RGU: Federal Bureau of Prisons

Contact: Meg Jeffery, Director of Natural Resources, 10580 Wayzata Blvd., Minnetonka, MN 55305; 952- 847-9637; email: [megj@schoellmadson.com](mailto:megj@schoellmadson.com)

## 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.

- Taylor Investments project on Little Floyd Lake, Becker County
- Sky Harbor construction project, City of Duluth
- Paces Lodging project on Lake Melissa, Becker County

## EAW Need Decisions

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

- City of Lino Lakes, Eagle Brook Church project, Voluntary EAW
- Crown Wing County, Peace Haven at Inglewood, EAW ordered
- Rice Creek Watershed District, Hardwood Creek, EAW ordered
- Martin County, Philipp Feedlot, Project exempt
- Minnesota Department of Transportation, Proposed soil compaction project by TH 23, EAW denied

## 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*.

- Environmental Quality Board, Prairie Gen 49 megawatt natural gas electric power plant (MEQB Docket No. 01-32-EAW-Prairie Gen), June 18, 2002 (February 18, 2002)
- Minnesota Pollution Control Agency, Northeast Area Trunk Sanitary Sewer Project, June 28, 2002 (April 1, 2002)

## Revised AUAR Available

### Cottage Grove West Draw

Description: The city of Cottage Grove is amending the previously approved West Draw AUAR to permit approximately 120,000 square feet of commercial development within the initial study area. The AUAR amendment reflects modifications necessary for the commercial development only.

RGU: City of Cottage Grove

Proposer: City of Cottage Grove, Kim Lindquist, Community Development Director, 7516 80<sup>th</sup> St. S., Cottage Grove, MN 55016

## Notice and Order of Hearing

### Permit Application No. 2001-1036 to William C. Young

William C. Young is hereby notified that the Minnesota Department of Natural Resources (hereinafter referred to as the "Department" or "DNR") has initiated the action pursuant to William C. Young's request to determine if the Department's decision to reject Permit Application No. 2001-1036 is consistent with applicable Minnesota statutes and rules.

It is hereby ordered that a contested case hearing will be held on the 21<sup>st</sup> day of August 2002, beginning at 9:00 a.m., or as soon thereafter as counsel can be heard, in the Commissioner's Board Room of the Cass County Courthouse, 300 Minnesota Avenue West, Walker, Minnesota.

Chief Administrative Law Judge Kenneth A. Nickolai, Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401-2138; 612-341-7640, is assigned to this matter.

The hearing will be conducted pursuant to the contested case procedures set out in chapter 14 of Minnesota Statutes, the Rules of the Office of Administrative Hearings, Minn. Rules 1400.5100-1400.8401, and Minn. Stat. 103G.251, 103G.311 and 103G.315. A copy of these materials may be purchased from the Minnesota Book Store, 651-297-3000 or are available at [www.revisor.leg.state.mn.us](http://www.revisor.leg.state.mn.us). Copies of the rules are available [www.oah.state.mn.us](http://www.oah.state.mn.us).

The attorney for the Department is Gregory J. Schaefer, Assistant Attorney General, 445 Minnesota Street, Suite 900, St. Paul, Minnesota 55101-2127; 651-296-7703 who may be

contacted to discuss discovery or informal disposition of this matter.

The location of the project is: The south 165 feet of the north 350 feet of Government Lot 2, Section 14, Township 143 North, Range 29 West, Cass County, Minnesota.

## Allegations

Mr. William Young submitted a permit application for the excavation of an 87-foot long by 29-foot wide inland channel expansion and the placement of a 36-foot long by 30-foot wide boat shelter for the docking and storage of a 36-foot boat below the ordinary high water level of Leech Lake. The Department denied the permit application. Mr. William Young alleges that he is entitled to the channel expansion and boat shelter.

## Issues

- Whether the current existing water surface are already exceeds the minimum area necessary to provide a single mooring space for a single riparian lot as stipulated by Minnesota rules.
- Whether the use of metal, fiberglass, wood or shingles on the top of the structure would constitute a prohibited “roof” over public water, pursuant to Minnesota rules. A Commissioner’s Order dated February 22, 2001 adopted an Administrative Law Judge’s Recommendation of August 11, 2000, that affirmed the Department’s rejection of Mr. Young’s previous boat shelter proposal because it contained a roof over public water.

The relevant laws and rules include, but need not be limited to, Minn. Stat. 103A.201, 103G.245, 103G.311, 103G.315, 116D.04, and Minn. R. 6115.0170-6115.0260.

## Additional Notice

- William C. Young’s failure to appear at the hearing may result in a finding that William C. Young is in default, that the Department’s allegations contained in this Notice and Order may be accepted as true, and its proposed action may be upheld.
- If any party has good cause for requesting a delay of the hearing, the request must be made in writing to the Chief Administrative Law Judge at least five days prior to the hearing. A copy of the request must be served on all other parties.
- Any party intending to appear at the hearing must file a Notice of Appearance form and return it to the Administrative Law Judge within 20 days of the date of service of this Notice and Order. A copy must be served on the Department’s attorney.

- At the hearing, all parties have the right to be represented by legal counsel, by themselves, or by a person of their choice if not otherwise prohibited as the unauthorized practice of law. The parties are entitled to the issuance of subpoenas to compel witnesses to attend the hearing. The parties will have the opportunity to be heard orally, to present evidence and cross-examine witnesses, and to submit evidence and argument. Ordinarily the hearing is tape-recorded. The parties may request that a court reporter record the testimony at their expense.
- Persons attending the hearing should bring all evidence bearing the case, including any records or other documents. Be advised that if data that is not public is admitted into the record, it may become public data unless an objection is made and relief is requested under Minn. Stat. 14.60, subd. 2
- Requests for subpoenas for the attendance of witnesses or the production of documents at the hearing shall be made in writing to the Chief Administrative Law Judge pursuant to Minn. R. 1400.7000. A copy of the subpoena shall be served on the other parties. A subpoena request form is available at [www.oah.state.mn.us](http://www.oah.state.mn.us) or by calling 612-341-7600.
- This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.
- The Office of Administrative Hearings conducts contested case proceedings in accordance with the Minnesota Rules of Professional Conduct and the Professionalism Aspirations adopted by the Minnesota Supreme Court. A Guide to Participating in Contested Case Proceedings at the Office of Administrative Hearings is available at [www.oah.state.mn.us](http://www.oah.state.mn.us) or by calling 612-341-7600.
- Any party who needs an accommodation for a disability in order to participate in this hearing process may request one. Examples of reasonable accommodations include wheelchair accessibility, an interpreter, or Braille or large-print materials. If any party requires an accommodation, contact the Office of Administrative Hearings at 100 Washington Ave. S., Suite 1700, Minneapolis, Minnesota 55401; 612-341-7610 or 612-341-7346 (TTY).



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Permit No. 171  
St. Paul, MN

Vol. 26 No. 15

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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)