



Environmental Assessment Worksheets

Comments due on August 20, 2003

Bridgeway at Superior Shores

Description: Jensen-Re Partnership is proposing an approximately 22.5-acre mixed-use commercial and residential development on land that is in the process of being annexed by the City of Two Harbors. The development (Bridgeway at Superior Shores) includes five 14-unit condominiums and one 4-unit condominium; hotel and staff housing; multi-use recreational center for conference space, retail shops, theatre, cinema, and indoor water park; and, associated parking areas. A total of 74 attached units will be within the development. The development will include extension of municipal water and sanitary sewer, new access roads within the development, new onsite storm water management, and shoreland stabilization along Burlington Bay of Lake Superior.

RGU: City of Two Harbors

Contact: Mr. Lee Klein, City Administrator, City of Two Harbors, 522 First Ave., Two Harbors, MN 55616; 218-834-5631 Fax 218-834-2674.

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.eqb.state.mn.us

Vol. 27, No. 15

Next issue: August 4, 2003

Submittal deadline: July 28, 2003

Rogers Drive

Description: The City of Rogers is proposing to extend Rogers Drive from Commerce Boulevard to County State Aid Highway 144 to alleviate traffic congestion along adjacent State Highway 101 by providing an alternate connecting route. The project would impact approximately 2.25 acres of wetland including DNR Protected Wetland 289W and another isolated wetland.

RGU: City of Rogers

Contact: Gary Eitel, City Administrator, City of Rogers, 12913 Main Street, Rogers, MN 55373; 763-428-2253 Fax 763-428-4470.

Lakes Business Park

Description: The proposed project consists of the development of a multi-phase business park. The first phase consists of the development of a 265,000 sq. ft. light industrial/warehouse facility. Subsequent phases will be built on 3 additional outlots. The total acreage is 31.2 acres.

RGU: City of Lino Lakes

Contact: Mike Grochala, Lino Lakes Community Development Director, 600 Town Center Parkway, Lino Lakes, MN 55014; 651-464-5562 Fax 651-982/2499 E-mail: mgrochala@ci.lino-lakes.mn.us

City of Otsego East Wastewater Treatment Plant Expansion

Description: The City of Otsego is proposing to construct an expansion of the Otsego East Wastewater Treatment Facility, which discharges treated effluent to the Crow River. The current facility has an average wet weather design flow of 400,000 gallons per day. The proposed project will increase the average wet weather design flow to 1.65 million gallons per day.

A copy of the Environmental Assessment Worksheet 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: Dana Vanderbosch, Project Manager, Operations and Environmental Review Section, Regional Environmental Management Division, Minnesota Pollution Control Agency, 520 Lafayette Road N., St. Paul, MN 55155; 651-297-1796

Kings Run Area Sanitary Sewer Replacement

Description: The City of Rochester intends to remove Lift Station 4 from service and replace approximately 27,800 linear feet of sanitary sewer between the 55th Street/Douglas Trail intersection and the Rochester Water Reclamation Plant (RWRP) to better serve existing development in the Kings Run Sewer District. The project will also enable service to areas that are presently unsewered. A sanitary sewer siphon will be installed beneath the Zumbro River near the RWRP to replace existing lines serving areas south and east of the RWRP.

A copy of the Environmental Assessment Worksheet 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: Eric Kilberg, Project Manager, Operations and Environmental Review Section, Regional Environmental Management Division, Minnesota Pollution Control Agency, 520 Lafayette Road N., St. Paul, MN 55155; 651-296-8643.

Riverwood National Wastewater Treatment Facility

Description: Manley Brothers Construction, Inc. proposes to construct a 50,690 gallon per day Wastewater Treatment Facility to serve the 239-acre Riverwood National Golf Course and residential development. A separate EAW was completed on March 24, 2003, by the City of Otsego for the proposed golf course and residential development project formerly known as Vintage Pro Golf Course. Sequencing Batch Reactors will provide necessary wastewater treatment. Treated wastewater will be discharged to an unnamed tributary of the Mississippi River.

A copy of the Environmental Assessment Worksheet 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: John Elling, Project Manager, Operations and Environmental Review Section, Regional Environmental Management Division, Minnesota Pollution Control Agency, 520 Lafayette Road N., St. Paul, MN 55155; 651-296-8011.

Windcliff

Description: Windcliff subdivision utilizes 138+ acres of 206+ acres. Windcliff proposes to preserve the Bluff land in the subdivision in a park/preserve. The lots (45) will have 2+ acres per home site and will have professional management of their joint wells and individual septic systems.

RGU: Wabasha County-Lake City Joint Board

Contact: Willard Bremer, Chairman, 1004 Elm St. West, Lake City, MN 55041; 651-345-3547.

Waste Management, Inc.-St. Cloud Transfer Station

Description: The Waste Management, Inc. – St. Cloud Transfer Station is requesting a permit renewal to increase the maximum throughput capacity of Mixed Municipal Solid Waste, construction and demolition wastes, and recyclables for the existing facility from approximately 273,875 cubic yards per year (350 tons/day) to 338,465 cubic yards per year (400 tons/day). No structural changes to the facility are proposed.

RGU: Benton County

Contact: Nick Tomczik, Assistant Planning and Zoning Administrator, Benton County, Courthouse, 531 Dewey Street, P. O. Box 129, Foley, MN 56329; 320-968-5065 Fax 320-968-5351 Email: www.co.benton.mn.us.

Proposed Residential Development

Description: D. R. Horton is proposing construction of 611 residential units on 145 acres located east of MacIver Ave. N.E. between 60th and 70th streets in the City of Otsego. The project will include a mixture of single family and multifamily housing.

RGU: City of Otsego

Contact: Mike Robertson, City Administrator, City of Otsego, 8899 Nashua Ave. N.E., Otsego, MN 55330; 763-441-4414 Fax 763-441-8823.

Estates of Wildwood

Description: The City of Ham Lake has prepared an EAW for a proposed 124 single-family detached residential unit development by Tollefson Development on 362-acres located South and East of 149th Avenue and Lever Street in Sections 24 and 25. Associated infrastructure improvements including public streets, storm sewer and storm water detention ponds are proposed to serve the site. The EAW can be reviewed at Ham Lake City Hall.

RGU: City of Ham Lake

Contact: City Engineer Tom Collins, RFC Engineering, Inc,
13635 Johnson Street, Ham Lake, Minnesota 55304; 763-
862-8000 Fax 763-862-8042 Email:

TCollins@RFCEngineering.com

Environmental Assessment Available

Grand Rapids – Itasca County Airport

Description: The draft Environmental Assessment (EA) for extension of Runway 16/34 from 5,755 feet to 7,100 feet is available. This is needed to accommodate the critical aircraft, the Saab 340 operated by Mesaba Airlines.

This aircraft currently operates at Grand Rapids, but cannot depart with full loads during hot weather due to the limited runway length.

The Grand Rapids – Itasca County Airport Commission will issue public notice offering the opportunity for a public hearing on the draft EA. The EA will be available for public examination at least 30-days prior to the potential hearing.

Please address your comments to: Lyle Kratzke-PE, TKDA,
1500 Piper Jaffray Plaza, 444 Cedar St., St. Paul, MN 55101;
651-292-4400 Fax 651-292-0083 Email: www.tkda.com

Petitions Filed

The following petition has 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.

- Carlos Avery Estates, Columbus Township
- Kladivo Property Project, Greenwood Township
- Electric Generating Plant in Rushford, Environmental Quality Board
- School Inflated-Dome Stadium Project, City of Minnetonka
- Whitetail Heights Project, City of Nisswa

EAW Need Decision

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

- City of Faribault, Glenn's Impound Lot

- Crow Wing County Board of Commissioners, Hidden Haven
- Yellow Medicine County Board of Commissioners, Mike Knutson Feedlot

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 of the EAW notice was published in the EQB Monitor.

- Interchange Construction at the Junction of TH 52 and County Road 46: Dakota County, Minnesota Department of Transportation, July 9, 2003 (March 17, 2003)
- Duluth Boat Community Water Sports Center, Duluth City Planning Commission, July 8, 2003 (May 26, 2003)
- Demolition Recovery LLC's, Sherburne County Board of Commissioners, July 8, 2003 (April 28, 2003)
- Four Seasons Second Addition, Beltrami County Board of Commissioners, July 1, 2003 (May 12, 2003)
- Woodcrest Estates, Beltrami County Board of Commissioners, July 1, 2003 (May 12, 2003)
- Vasko Recycling Facility and Transfer Station Expansion, MN Pollution Control Agency, July 7, 2003 (May 12, 2003)
- Garrison, Kathio, West Mille Lacs Lake Sanitary Sewer District Transmission and Collection System; MN Pollution Control Agency, July 8, 2003 (March 17, 2003)
- Methodist Hospital Campus Expansion, City of St. Louis Park, June 16, 2003 (April 28, 2003)

Notice of Hearing

Proposed Permanent Rules Governing Environmental Review of Electric Power Generating Plants and High Voltage Transmission Lines in Proceedings before the Public Utilities Commission, Minnesota Rules parts 4410.7010 to 4400.7070, and Technical Amendments to the Power Plant Siting Rules, Minnesota Rules, Chapter 4400, and Repeal of Minnesota Rules parts 4410.7000 to 4410.7500.

Public Hearing. The Environmental Quality Board (EQB) intends to adopt rules after a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, Minnesota Rules, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, Minnesota Statutes, sections 14.131 to 14.20. The agency will hold public hearings on the above entitled rules in room 302 Centennial Building, 658 Cedar Street, St. Paul,

Minnesota, starting at 2 p.m. and again at 7 p.m. on Thursday, September 4, 2003, and continuing until the hearings are completed. Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Written statements may be submitted without appearing at the hearing.

Administrative Law Judge. The hearing will be conducted by Administrative Law Judge Allan W. Klein, who can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401 2138, telephone (612) 341-7609, and fax (612) 349 2665. The rule hearing procedure is governed by Minnesota Statutes, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, Minnesota Rules, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

Subject of Rules and Statutory Authority. The proposed rule amendments establish requirements for conducting environmental review of proposed large electric power generating plants and high voltage transmission lines at the time such projects are before the Minnesota Public Utilities Commission for a determination of need. The statutory authority to adopt the rules is Minnesota Statutes, section 116D.04, subs. 4a and 5a. These amendments will replace existing rules parts 4410.7000 to 4410.7500, which are proposed to be repealed. In addition, the EQB intends to make three minor technical amendments in the power plant siting rules in Minnesota Rules chapter 4400 to correct some grammatical errors and to cite the new rule numbers.

The proposed amendments require the Environmental Quality Board to prepare an Environmental Report on every proposed large energy facility at the time the project proposer applies to the Minnesota Public Utilities Commission for a certificate of need or other need certification. Large energy facilities are generally power plants with a capacity of 50 megawatts or more and transmission lines in excess of 100 kilovolts.

The rules establish a procedure for the EQB to follow in determining what matters will be considered as part of the environmental review. The procedures require the EQB to hold a public meeting to answer questions about the project and to provide an opportunity for the public to comment about the alternatives and possible impacts to evaluate in the Environmental Report. The proposed rules require the EQB to complete the Environmental Report within four months of commencement of the process. Upon completion of the Report, the EQB will provide a copy to the PUC for its consideration in making a final decision on the need for the project. The proposed rules recognize that in the event the applicant for a certificate of need has also applied to the EQB

for a permit for a specific site or route, the EQB could elect to combine environmental review into one process. The rules also provide that the applicant for the certificate of need must pay the reasonable fees incurred by the EQB in conducting environmental review.

Agency Contact Person. A copy of the proposed rules was published in Volume 27 of the State Register, Issue 47, Monday, May 19, 2003. A copy of the rules is available upon request from the agency contact person or available on the EQB web site at <http://www.eqb.state.mn.us/>.

The agency contact person is: Alan Mitchell at the Environmental Quality Board, 300 Centennial Building, 658 Cedar Street, St. Paul, MN 55155-0001, phone (651) 296-3714, fax (651) 296-3698, or email alan.mitchell@state.mn.us. TTY users may call the EQB at 1-800-627-3529.

Statement of Need and Reasonableness. A Statement of Need and Reasonableness is available for review at the agency offices and at the Office of Administrative Hearings. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may be reviewed and copies obtained from the agency at the cost of reproduction. The Statement of Need and Reasonableness is also available on the EQB web site at <http://www.eqb.state.mn.us/>.

Other Notices. In addition to the statutory requirements to publish notice in the State Register and to mail notice to persons on the EQB rulemaking list, the EQB will also undertake other efforts to notify the public about the public hearing.

The EQB will publish notice in the EQB Monitor of the public hearing. Each issue of the EQB Monitor is distributed to a lengthy list of persons and published on the EQB webpage. Many groups and individuals in Minnesota and elsewhere who are active and interested in environmental matters in the state are aware of the EQB Monitor and read it regularly. In addition, the EQB will post a copy of the notice directly on the EQB webpage. The EQB has already posted on the website the proposed rules and the Statement of Need and Reasonableness.

Public Comment. You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to

be recorded in the hearing record for five working days after the public hearing ends. This five day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five working day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified as a result of the rule hearing process. Modifications must be supported by data and views presented during the rule hearing process, and the adopted rules may not be substantially different than these proposed rules, unless the procedure under Minnesota Rules, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate.

Adoption Procedure After The Hearing. After the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and the rules are filed with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings, and can make these requests at the hearing or in writing to the agency contact person stated above.

Lobbyist Registration. Minnesota Statutes, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial

Building, 658 Cedar Street, St. Paul, Minnesota 55155,
telephone 651 296 5148 or 1 800 657 3889.

Robert A. Schroeder, Chair
Environmental Quality Board



First Class
U.S. Postage
PAID
Permit No. 171
St. Paul, MN

Vol. 27 No. 15

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 or additional copies of the *EQB Monitor*, contact:

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: eqb.monitor@state.mn.us