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EQB MONITOR

NOTE: The *EQB Monitor* Publication Calendar for 2010 Calendar is included in this edition.

REMINDER: Amended Environmental Review Rules in Effect

Amendments to the Environmental review program rules went into effect on November 23, 2009. The amended rules apply to any project which had not officially begun environmental review prior to that date; normally, review officially begins when notice appears in the *EQB Monitor*.

The amended rules can be viewed at the website of the Revisor of Statutes:
<https://www.revisor.mn.gov/rules/?id=4410>.

Here is a list of all sections of the rules that were amended:

- 4410.0200, subparts: 9a, 11a, 55a, 79a, 81, 81a
- 4410.1100, subparts: 2, item E & 5
- 4410.1200, item E
- 4410.1700, subpart 7, items: B & C
- 4410.2300, item H
- 4410.3100, subpart 2a
- 4410.3610, subpart 2, items: B, C, D & E; subpart 4; subpart 5 & subpart 5a
- 4410.4300, subparts: 12, item C; 19a; 20a & 36a
- 4410.4400, subparts: 9, item C; 14a; 26; 27 & 28
- 4410.4600, subparts: 1; 12, item B & 26

RGUs should be especially aware of these new requirements:

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: 651-757-2873
Fax: 651-296-3698
<http://www.eqb.state.mn.us>

- Lower thresholds for review in shoreland areas for certain residential and commercial projects; see part 4410.4300, subparts 12,C (nonmetallic mining in shorelands -- EAW), 19a (residential development in shoreland outside the Twin Cities metro area -- EAW), and 20a (resorts, campgrounds, and RV parks in shorelands -- EAW) and part 4410.4400, subparts 9, C (nonmetallic mining in shorelands --EIS), 14a (residential development in shoreland outside the Twin Cities metro area --EIS), and 26 (resorts, campgrounds, and RV parks in shorelands -- EIS). There is also one new Exemption: see 4410.4600, subpart 12, B (residential development in shoreland).
- New “scoping” requirements for any AUAR including a single specific project either over a mandatory EIS threshold or covering at least 50% of the geographic area of the AUAR. See 4410.3610, subpart 5a.
- New procedures for removing small projects from an AUAR review once it has begun. See 4410.3610, subpart 2, item D.
- New specific directions about how to select “other projects” that must be considered as part of a cumulative potential effects analysis and how they should be treated. See, in particular, 4410.0200, subpart 11a (definition of cumulative potential effects) and 4410.1700, subpart 7, item B (EIS need decision --considering cumulative potential effects).

The EQB staff is now updating the *Guide to MN Environmental Review Rules*, the EAW form & *EAW Guidelines*, and the AUAR guidance in light of the recent rule amendments. These documents will be posted at the EQB website as they become available.

Please direct any questions to the EQB staff at 651-201-2492, or by email to jon.larsen@state.mn.us or gregg.downing@state.mn.us.

ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: February 10, 2010

Project Title: Trunk Highway 212 Improvements from the Cologne Bypass to CSAH 11

Description: The project includes the widening of approximately 4.7 miles of TH 212 from a two-lane, undivided highway to a four-lane, divided highway between the Cologne Bypass and CSAH 11. The project would be partially constructed on a new horizontal alignment, but generally follows an alignment studied in a 1993 Final Environmental Impact Statement (FEIS). A footprint for a new interchange is also being evaluated at County Road 43.

Copies of the EA/EAW which documents the purpose and need of the project, along with the anticipated social, economic and environmental impacts, are available for public review beginning January 11, 2010, at the following locations.

- The Mn/DOT project website at <http://www.dot.state.mn.us/metro/projects/new212>.
- Mn/DOT Metro District, 1500 W, County Rd. B-2, Roseville, MN 55113
- Carver City Hall – 316 Broadway Street, Carver, MN 55315
- Cologne City Hall – 1211 Village parkway, Cologne, MN 55322

- Norwood Young America City Hall – 10 First Avenue NE, Norwood Young America, MN 55368

To afford an opportunity for all interested persons, agencies and groups to comment on the EA/EAW, a public hearing has been scheduled for January 26th, 2010, from 4:30-7:00 PM at the Cologne Community Center, 1211 Village Parkway, Cologne, MN. Display boards will be available beginning at 4:30 PM; followed by a presentation at 5:30 PM. Opportunity to give verbal comments for the public record will begin at 6:00 PM.

The EA/EAW can be made available in alternative formats to individuals with disabilities by calling Nicole Peterson, Project Manager, at 651-234-7722 or to individuals who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529 or 651-296-9930 TTY.

Copies of the EA/EAW are being distributed to agencies on the current MEQB list and others. The comment period will begin on **January 11, 2010**. Comments will be accepted through **February 10, 2010**.

RGU: Minnesota Department of Transportation

Contact Person:

Nicole Peterson, P.E., Project Manager
Minnesota Department of Transportation
1500 W. County Road B-2
Roseville, MN 55113
Email: nicole.peterson@state.mn.us

AUAR Available

Project Title: Big Lake Marketplace & Big Lake Rail Park

Description: The project area includes 357 acres north of US 10 and east of 172nd Street and west of CR 15 in Big Lake. An AUAR was completed for 267 acres of this site in 2005. About 131 of those acres have already been developed into a mix of residential and commercial uses. Remaining portions of the site are reviewed in the AUAR under two development scenarios: Scenario 1 – Current Master Plan proposal; Scenario 2 – Master Plan proposal.

RGU: City of Big Lake

Contact Person:

Brad DeWolf, P.E.
City Engineer
c/o Bolton & Menk Engineering
2040 Hwy 12 East
Willmar, MN 56201

NOTICES**Minnesota Department of Agriculture****Notification of Releases of Genetically Engineered Organisms**

File Number	Company	Crop	Project	County
10-NO-001	USDA Agricultural Research Service	Barley	Fusarium Head Blight Resistance	Dakota

Transgenic Herbicide Tolerant Corn - Commercial Use Exemption

Pioneer Hi-Bred International has requested an exemption from the Minnesota Department of Agriculture's Genetically Engineered Organism Release Permit for a corn line, designated as transformation event 98140, which has been genetically engineered for tolerance to glyphosate and acetolactate synthase-inhibiting herbicides. This corn line contains the stably integrated genes, *gat4621*, derived from *Bacillus licheniformis*, a common soil bacterium, and *zm-hra*, which is a modified corn gene. The corn line containing these genes is no longer regulated under USDA/APHIS guidelines. Under this exemption from state permit, Pioneer will be allowed to commercially use this herbicide tolerant corn line without further regulation. For additional information contact Mary Hanks, Minnesota Department of Agriculture, 651/201-6277, mary.hanks@state.mn.us

STATE OF MINNESOTA
Office of Energy Security

Issued: January 11, 2010

NOTICE OF AVAILABILITY OF
DRAFT ENVIRONMENTAL IMPACT STATEMENT
AND PUBLIC INFORMATION MEETING

In the Matter of the Xcel Energy and Great River Energy Application for a High Voltage Transmission Line Route Permit for the Monticello to St. Cloud 345 kV Transmission and Substation Project in Wright and Stearns counties (PUC Docket Number: E002, ET2/TL-09-246)

PLEASE TAKE NOTICE that the Minnesota Department of Commerce, Office of Energy Security (OES) has released the Draft Environmental Impact Statement (DEIS) for the Monticello to St. Cloud 345 kV

Transmission and Substation Project for public comment, as well as the date, location and times for the public meetings.

The DEIS may be viewed at the Minnesota Public Utilities Commission (Commission) web site on January 11, 2010:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19957>

A hard copy will be available for viewing at the following public libraries by January 15, 2010:

Saint Cloud Public Library 405 St. Germain Street West Saint Cloud, MN 56301	Monticello Public Library 200 West 6th Street Monticello, MN 55362
Elk River Public Library 13020 Orono Parkway Elk River, MN 55330	Buffalo Library 18 NW Lake Boulevard Buffalo, MN 55313
Stickney Crossing Library 822 Clearwater Center Clearwater, MN 55320	Al Ringsmuth Library 253 North 5th Avenue Waite Park, MN 56387

Public Meetings

OES will conduct public information meetings to obtain comments on the DEIS. The meetings will be held at:

Tuesday, February 9, 2010
2 p.m. and 6 p.m.
at
Clearwater Township Hall
15015 State Highway 24

The public will also have until Friday, February 26, 2010, to submit written comments on the DEIS to the OES. Comments can be faxed, mailed or emailed to the OES Project Manager (see contact information below). Comments can also be submitted electronically at:

<http://www.energyfacilities.puc.state.mn.us/publicComments.html>

Project Description

Xcel Energy and Great River Energy plan to construct and operate a new 345 kV HVTL between the existing Monticello Substation and a new Quarry Substation west of St. Cloud:

- Monticello Substation - Modifications will be made at the existing Monticello Substation to accommodate the proposed 345 kV transmission Line.
- Monticello to St. Cloud 345 kV Transmission Line - The proposed 28-mile line will be constructed primarily on single-pole, double-circuit capable, self-weathering or galvanized steel structures.
- Quarry Substation - The proposed Quarry Substation will be located west of the city of St. Cloud. The substation is proposed to be a 345/115 kV substation, ultimately up to 15 acres in size, to allow for the

interconnection of the proposed 345 kV transmission line, an existing 115 kV transmission line and future high voltage transmission lines.

Procedures

OES will respond to the timely substantive comments received on the Draft EIS consistent with the scoping decision and prepare the final EIS.

Public hearings on the Application will be held March 8, 2010, presided over by Administrative Law Judge Beverly Jones Heydinger from the Office of Administrative Hearings. Notice of the public hearings will be published in local newspapers and mailed to persons who have registered their names on the project mailing list with OES.

Project Contacts and Information

OES Project Manager

David Birkholz

651-296-2878

david.birkholz@state.mn.us

OES Public Advisor

Raymond Kirsch

651-296-7588

raymond.kirsch@state.mn.us

Minnesota Office of Energy Security

85 7th Place E., Suite 500

St. Paul, Minnesota 55101-2198

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St. 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, ask for DOC.

STATE OF MINNESOTA Minnesota Department of Commerce

Issued Date: January 8, 2010

NOTICE OF AVAILABILITY DRAFT ENVIRONMENTAL IMPACT STATEMENT

NOTICE OF PUBLIC MEETING

**In the Matter of the Northern States Power Company (Xcel Energy)
HVTL Route Permit Application**

Hiawatha Transmission Line Project

PUC Docket Number: E002/TL-09-38

PLEASE TAKE NOTICE that the Minnesota Office of Energy Security (OES) announces the availability of the Draft Environmental Impact Statement (DEIS) for the Hiawatha Transmission Line Project for public comment, as well as the date, location and time for the public meeting.

Copies of the DEIS can be obtained through the OES Project Manager and maybe viewed at the Public Utilities Commission (Commission) web site:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19981>

Copies will also be available for viewing, by January 15, 2010, at the following public libraries:

Central, 300 Nicollet Mall
East Lake, 2727 E. Lake St.
Franklin, 1314 E. Franklin Ave.
Roosevelt, 4026 28th Ave. S.
Hosmer, 347 E. 36th St.
Nokomis, 5100 34th Ave S

The purpose of the meeting is to provide an opportunity for the public to comment on the draft EIS.

Wednesday, February 10, 2010 – 6:00 PM

Plaza Verde

1516 East Lake Street

Minneapolis, MN 550407

612-724-5332

Representatives from the OES and Xcel Energy will be available to answer questions about the permitting process and the proposed project. The OES will accept written comments on the draft EIS until **March 10, 2010**. Written comments should be mailed to Bill Storm (bill.storm@state.mn.us), Minnesota Department of Commerce, 85 7th Place, Suite 500, St. Paul, Minnesota 55101-2198.

Comments may also be submitted on the Commission's energy facility permitting website:

<http://www.energyfacilities.puc.state.mn.us>

Project Description. Xcel Energy proposes to construct two new distribution substations and two 115 kilovolt (kV) transmission lines in south Minneapolis, in an area known as the Midtown District. Xcel Energy has included four separate alternative routes and five design options for consideration in its application. Xcel Energy also identifies two locations for the Hiawatha Substation and two locations for the Midtown Substation.

Review Process. Under the Power Plant Siting Act (Minn. Stat. 216E), a route permit from the Commission is required to build a high voltage transmission line. A route permit application for the project was filed by the Applicant on April 24, 2009. The application was accepted as complete by the Commission on May 21, 2009. The Commission has one year from the time the application is accepted to complete the permitting process and make a decision on the route permit.

Route permit applications for high voltage transmission lines are subject to environmental review (Minn. Rules 7849). For this project, OES staff will prepare an environmental impact statement (EIS). The EIS contains information on the human and environmental impacts of the proposed project and examines mitigating measures for

anticipated impacts. To focus the content or “scope” of the EIS, OES staff conducts public meetings to gather comments and suggestions on the proposed project.

Upon completion of the draft EIS, it will be issued for public review and comment, including a public meeting. Comments on the draft EIS will be responded to and included in a final EIS. Concurrent with development of the final EIS, a public hearing will be held, presided over by an administrative law judge (ALJ). Members of the public will have an opportunity to speak at the hearing, present evidence, ask questions, and submit comments. The ALJ will submit a report to the Commission containing findings, conclusions, and a recommendation on a route permit for the proposed transmission line.

Notice of the public meeting and public hearing will be published in local newspapers and mailed to persons who register their names on the OES project mailing list.

Additional information on the route permitting process is available on the Commission’s energy facility permitting website: <http://www.energyfacilities.puc.state.mn.us/TransmissionLines.html>

Eminent Domain. If issued a site permit by the Commission, Xcel Energy may exercise the power of eminent domain to acquire land for this project pursuant to Minnesota Stat. 216E.12.

Project Contacts and Mailing Lists. The OES staff is available to assist persons interested in taking part in the permitting process. For more information, contact one of the persons listed below:

Department of Commerce – Office of Energy Security

The OES has designated staff member Bill Storm (651-296-9535, bill.storm@state.mn.us) as project manager and Deborah Pile (651-297-2375, deborah.pile@state.mn.us) as public advisor. You may contact them at: Department of Commerce, Office of Energy Security, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198. Other contact information: Toll-Free: 1-800-657-3794, Fax: 651-297-7891 or TTY: Minnesota Relay Services, 1-800-627-3529, and ask for the DOC.

Xcel Energy

Information about this project is available from Xcel Energy. You can direct questions to RaeLynn Asah (612-330-6512, Raelynn.Asah@xcelenergy.com). Ms. Asah may be contacted in writing at: Xcel Energy, 414 Nicollet Mall, (MP 8), Minneapolis, MN 55401.

Project Mailing Lists

If you would like to have your name added to the OES project mailing list for this project, you may register on line at: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=19981> or contact OES staff at the address above.

Information Availability. Copies of the route permit application, DEIS and other relevant documents are available at:

<http://www.xcelenergy.com/Company/Transmission/Transmission%20Projects/Pages/HiawathaProject.aspx>
<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19981>

EQB Monitor Publication Calendar for 2010

Volume Number	Deadline for Submission	Publication Date	EAW Comment Deadline
34-1	January 4	January 11	February 10
34-2	January 15 (Friday)	January 25	February 24
34-3	February 1	February 8	March 10
34-4	February 12 (Friday)	February 22	March 24
34-5	March 1	March 8	April 7
34-6	March 15	March 22	April 21
34-7	March 29	April 5	May 5
34-8	April 12	April 19	May 19
34-9	April 26	May 3	June 2
34-10	May 10	May 17	June 16
34-11	May 21 (Friday)	May 31	June 30
34-12	June 7	June 14	July 14
34-13	June 21	June 28	July 28
34-14	July 2 (Friday)	July 12	August 11
34-15	July 19	July 26	August 25
34-16	August 2	August 9	September 8
34-17	August 16	August 23	September 22
34-18	August 30	September 6	October 6
34-19	September 13	September 20	October 20
34-20	September 27	October 4	November 3
34-21	October 11	October 18	November 17
34-22	October 25	November 1	December 1
34-23	November 8	November 15	December 15
34-24	November 22	November 29	December 29
34-25	December 6	December 13	January 12, 2011
34-26	December 20	December 27	January 26, 2011

