



Publication Date: January 25, 2010  
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Submittal Deadline: February 1, 2010

# 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](mailto:jon.larsen@state.mn.us) or [gregg.downing@state.mn.us](mailto:gregg.downing@state.mn.us).

## ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: February 24, 2010

### **Project Title: Western Middle School – Duluth, MN**

**Description:** Construction of a new middle school to accommodate 1,000 students in the western half of the Duluth Public School District boundary area. The project will include outdoor site components typical of schools, including but not limited to vehicle, bus, and fire lane access, loading docks, parking areas, sidewalks, athletic fields, and playground areas.

The EAW is available on the City of Duluth Planning Division’s web site under “Current Projects” <http://www.duluthmn.gov/planning/index.cfm> or from the reference section of the Duluth Public Library and its branch libraries. Copies of the document are also available in printed CD-ROM format from the RGU.

A public hearing will be held at the City Planning Commission’s regular meeting on Tuesday, February 16, 2010, 5:00 p.m., in the 3<sup>rd</sup> Floor Council Chambers of Duluth City Hall, 411 West First Street, Duluth, MN.

The comment period for this EAW ends at 4:30 p.m., February 24, 2010.

**RGU:** City of Duluth Planning Commission

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## 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*.

- Minnesota Department of Natural Resources, Lawndale Creek Habitat Enhancement Project, January 6, 2010 (November 16, 2009)
- Minnesota Department of Natural Resources, Virginia Expansion of the Iron Range Off-highway Vehicle Recreation Area, January 15, 2010 (November 16, 2009)
- Minnesota Pollution Control Agency, Pope/Douglas Waste-To-Energy Facility Expansion, January 14, 2010 (November 2, 2009)
- City of Fergus Falls City Council, Tower Road Bridge Project, December 21, 2009 (October 19, 2009)

## Final AUAR AVAILABLE

### Carver Freeway Commercial District Study Area Final AUAR Available for Review

The Draft Alternative Urban Areawide Review (DAUAR) was distributed to the Environmental Quality Board (EQB) and persons and agencies on the official EQB mailing list in accordance with EQB rules on October 29, 2009. The 30-day comment period expired on December 2, 2009. Six agencies and one local unit of government submitted comment letters on the DAUAR. The Final AUAR documents these comments and offers responses. The DAUAR has been revised and/or expanded upon to address the comments. The revisions and additions to the DAUAR are detailed in the FAUAR. The potential impacts and mitigation strategies included in the Draft Mitigation Plan in the DAUAR have been revised and expanded upon to address DAUAR comments.

The AUAR is available on the City of Carver website at [www.cityofcarver.com](http://www.cityofcarver.com)

**RGU:** City of Carver

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## NOTICES

### Minnesota Department of Agriculture

#### Notification of Releases of Genetically Engineered Organisms

File Number	Company	Crop	Project	County
10-NO-002	Monsanto	Corn	Combinations of the following traits: Increased Yield, Germination Rate, Protein, and Oil; Drought, Cold, Heat, and Abiotic Stress Tolerance; Altered Plant Development, Senescence, Seed Composition, Kernel Development, Nitrogen Metabolism, Feed Properties, and Fiber Quality; Reduced Environmental Stress; Disease Resistance; Method Development	Pennington, Polk, Red Lake

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

**EQB Monitor Publication Calendar for 2010**

<b>Volume Number</b>	<b>Deadline for Submission</b>	<b>Publication Date</b>	<b>EAW Comment Deadline</b>
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