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Submittal Deadline: April 13, 2009

# EQB MONITOR

## ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: May 6, 2009

**Project Title:** 33<sup>rd</sup> Street South Corridor Project in the Cities of St. Cloud and Waite Park

**Description:** This project will reconstruct 33<sup>rd</sup> Street South from TH 15 to CSAH 75 as a four lane, divided section, with intersection improvements and a bike trail along the entire corridor. 33<sup>rd</sup> Street South will be extended west and a new interchange will be constructed at the connection of TH 15.

This project includes a DeMinimis Section 4(f) Determination for Neenah Creek Regional Park and Concord Park.

A public hearing will be held for the project on April 29<sup>th</sup>, 2009 from 5:30 p.m. to 7:30 p.m. at St. Cloud City Hall.

Copies of the EA/EAW will be available for public review at the St. Cloud City Hall, Stearns County Public Works and the Great River Regional Library in St. Cloud. Copies will also be available for review at the public hearing.

Written comments on the EA/EAW must be submitted to Stearns County during the 45 day review period that ends on May 21, 2009. Written or emailed comments should be submitted to Mitchell Anderson, Public Works Director, Stearns County, 455 28<sup>th</sup> Avenue South, Waite Park, MN 56387; 320-255-618-; fax: 320-255-6186; email: [highway@co.stearns.mn.us](mailto:highway@co.stearns.mn.us)

**RGU:** Stearns County

**Contact Person:**

Mitchell Anderson, Public Works Director  
Stearns County

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: 651-201-2480  
Fax: 651-296-3698  
<http://www.eqb.state.mn.us>

455 28<sup>th</sup> Avenue South  
Waite Park, MN 56387  
Phone: 320-255-6180  
Fax: 320-255-6186  
Email: [highway@co.stearns.mn.us](mailto:highway@co.stearns.mn.us)

**Project Title: Knute Nelson Senior Living Addition/Burgen Sunrise Senior Living Addition**

**Description:** This project is construction of a senior living campus consisting of independent and assisted living units, memory and kindred care units and a town center facility. Future phases include a skilled nursing facility, a senior housing area, and development of a 56.5 acre R-3 residential development.

**RGU:** City of Alexandria

**Contact Person:**

Mike Weber  
City Planner  
704 Broadway  
Alexandria, MN 56308  
Phone: 320-763-6678  
Fax: 320-763-3511  
Email: [mweber@rea-alp.com](mailto:mweber@rea-alp.com)

**Project Title: Pine Island Collection System Project**

**Description:** The city of Pine Island (Proposer) proposes to construct a new high-capacity wastewater collection system to convey wastewater flows from the proposed mixed use Elk Run development (service area) to the Proposer's wastewater treatment facility (WWTF). This project will include construction of a large capacity arterial pipeline, a lift station, forcemain, gravity sewers, and large capacity collector pipelines. The service area was previously reviewed through a separate Alternative Urban Area Review process.

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 Person:**

Nancy Drach, Planner Principal  
Environmental Review and Feedlot Section  
Regional Division – 4<sup>th</sup> Floor  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
651-757-2317  
[nancy.drach@pca.state.mn.us](mailto:nancy.drach@pca.state.mn.us)

## EA AVAILABLE

### **Project Title: Staples North/South Corridor and Railroad Grade Separation Safety Project**

**Description:** The Environmental Assessment (EA) documenting the potential effects of the proposed Staples North/South Corridor and Railroad Grade Separation Safety Project in the City of Staples is available for review and comment. The scope of the proposed project includes the construction of a two-lane north/south roadway from the Todd/Wadena County Line to County State Aid Highway (CSAH) 21. The proposed project includes a new bridge over the Burlington Northern Santa Fe (BNSF) Railroad and Highway 10, construction of left turn and right turn lanes/bypass lanes at key intersections, and extensions to the local street network at Summit Avenue, Park Avenue, 3rd Avenue NE, and the frontage road to Highway 10. The proposed improvement includes a 10-foot bituminous pedestrian/bicycle trail adjacent to the roadway.

Copies of the EA document are available for public review at the following locations:

- Kitchigami Regional Library, 212 Park Avenue, Pine River
- Todd County Public Works Department, 44 Riverside Drive, Long Prairie
- Staples City Hall, 611 Iowa Avenue NE, Staples
- Staples Public Library, 611 Iowa Avenue NE, Staples

The comment period on the EA will extend through May 11, 2009. All comments should be directed to: Loren Fellbaum, Todd County Public Works Director, 44 Riverside Drive, Long Prairie, MN 56347. The EA can be made available to individuals who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529 or (651) 296-9930 TTY.

To afford an opportunity for all interested persons, agencies and groups to comment on the EA, a public hearing has been scheduled for Thursday, April 30, 2009, at the Freshwater Education District Building, 1100 5th Street NE, in Staples. The public hearing will be held from 5:00 p.m. to 7:00 p.m. Individuals with a disability who need a reasonable accommodation to participate in the public hearing are asked to contact the Minnesota Relay Service at the telephone numbers listed above, as soon as possible.

**Project Proposer:** Todd County

**RGU:** Todd County

**Contact Person:**

Loren Fellbaum, Todd County Public Works Director  
44 Riverside Drive  
Long Prairie, MN 56347  
Phone: (320) 732-2722

## 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 Transportation, Trunk Highway 7/Wooddale Avenue Interchange Project, March 26, 2009 (December 15, 2008)
- City of Dayton, River Hill Farms Development, March 24, 2009 (December 29, 2008)
- City of Duluth Planning Commission, Kohl's Parking Replacement Project, March 16, 2009 (February 9, 2009)
- City of Maple Grove, The Markets at Rush Creek, March 16, 2009 (January 16, 2009)

## AUAR UPDATE AVAILABLE

### **Project Title: Credit River Township Growth Area AUAR**

**Description:** The Credit River Township Growth Area AUAR Update evaluates if the development that occurred after the adoption of the Credit River Township Growth Area AUAR in May of 2003 conformed to the standards and mitigation measures proposed in the AUAR. The update also evaluates if the standards and mitigation measures adopted in 2003 continue to protect the environment and promote compatible land use.

**RGU:** Scott County

#### **Contact Person:**

Kate Sedlacek  
Scott County  
Environmental Health  
200 Fourth Avenue West  
Shakopee, MN 55379-1220  
Phone: 952-496-8177  
Fax: 952-496-8496

### **Project: Rivers Edge Updated AUAR and Mitigation Plan**

**Description:** Pursuant to Minnesota Rules 4410.3600 Subp. 7A, an Updated Alternative Areawide Review is required for the development know as "Rivers Edge Development". Five years have passed since the City of St. Paul Park adopted the *Rivers Edge Final AUAR and Mitigation Plan* on May 17, 2004.

The site conditions have not changed and development has not occurred. The intentions of the AUAR or development scenarios as described in the AUAR also have not been modified; and/or the AUAR document itself has not been amended in any manner.

The City of St. Paul Park is resubmitting the Rivers Edge Final AUAR for review. If you wish to receive a paper copy, please contact City Hall or visit the city's website at [www.stpaulpark@govoffice.com](http://www.stpaulpark@govoffice.com)

State agencies and the Metropolitan Council have ten days from the date of receipt of the enclosed document to file an objection to the document with the RGU. A copy of the letter of objection must be filed with the Environment Quality Board (EQB) staff. An objection may be filed only if the agency filing the objection has

evidence that the revised documents contains inaccurate or incomplete information relevant to the identification and mitigation of potentially significant environmental impacts or that the proposed plan for mitigation will be inadequate to prevent potentially significant environmental impacts from occurring. Persons entitle to object may submit comments to the RGU suggesting changes in the document.

The RGU will discuss the *Updated AUAR and Mitigation Plan* at the April 13, 2009 meeting of the St. Paul Park Planning Commission, which will be held at 7:00 p.m. at St. Paul Park City Hall. Unless an objection is filed by a state agency, the City of St. Paul Park will schedule adoption of the *Updated AUAR and Mitigation Plan* for April 20, 2009. Assuming members of the Distribution List receive the document by Monday, March 2, 2009, comments on the *Updated AUAR and Mitigation Plan* must be received by the RGU by 4:30 p.m. on March 16, 2009.

**RGU:** City of St. Paul Park

**Contact Person:**

Kevin Walsh, City Administrator  
City of St. Paul Park  
600 Portland Avenue  
St. Paul Park, MN 55071  
Phone: 651-459-9785  
Fax: 651-459-6144  
Email: kwalsh@stpaulpark.org

## ENVIRONMENTAL IMPACT STATEMENT PREPARATION NOTICE

### Mesabi/Nugget Phase II St. Louis County, Minnesota

The Department of Natural Resources (DNR) will prepare an Environmental Impact Statement (EIS) to evaluate the potential impacts of reactivating the former LTV Steel Mining Company taconite mine near Hoyt Lakes and construction of a new crusher and concentrating plant. The mine is located in St. Louis County, Minnesota. The US Army Corps of Engineers (USACE) is the Lead Federal Agency and is responsible for federal Environmental Review requirements.

The DNR distributed a Scoping Environmental Assessment Worksheet (EAW) and Draft Scoping Decision Document on August 11, 2008, to all agencies listed on the Environmental Quality Board (EQB) distribution list and all interested parties. Availability of the Scoping EAW and Draft Scoping Decision Document was noticed in the August 11, 2008, EQB Monitor (Vol. 32, No. 16). The DNR held a public scoping meeting in Aurora, Minnesota on September 3, 2008, and accepted comments during a 30-day public comment period concluding on September 10, 2008.

The DNR considered comments on the proposed scope, made revisions to the Draft Scoping Decision Document, and issued a Final Scoping Decision Document on December 9, 2008. The Scoping Decision Document identifies those project alternatives and issues that will be addressed in the EIS and presents a tentative schedule for EIS completion.

**Summary of Scoping Decision.** The EIS will address the following issues: land use; cover types; threatened and endangered species; water-related land use management district; erosion and sedimentation; geologic hazards and soil conditions; traffic; vehicle related air emissions; visual impacts; infrastructure; socioeconomics, cultural resources, and tribal usufructuary rights; mineland reclamation; climate change; physical impacts on water resources; water appropriations, including municipal water supply; surface water

runoff; wastewater; solid waste; cumulative impacts: air quality in Class I areas, sulfate management; mercury methylation, visibility impairment, loss of threatened and endangered plant species, loss of wetlands, and wildlife habitat loss/fragmentation and travel corridor obstruction. A more detailed description of each of these major areas can be found in the Final Scoping Decision Document. A copy of the Final Scoping Decision Document is posted on the DNR Web Site.

The EIS will evaluate the following alternatives:

### **Proposed Alternative.**

Low-silica ore will be obtained from three locations: Area 6NW; Area 2WX; and Area 6. Mining of all three locations will be sequenced to coincide with the proposed initial dewatering of Areas 2WX and 6 Pits.

Mining-related preparations will begin first in Area 6NW while the Area 2WX and 6 Pits are dewatered. Once construction and pit stripping are complete, mining will commence in the new Area 6NW Pit and continue to supply the project until Area 2WX is dewatered. Limited mining of Area 6NW will also continue during the remainder of the project.

The second source of ore will be the Area 2WX Pit, which will be pumped dry over a period of about two years and mined over the full project life. Dewatering will be pumped in a pipeline to the Partridge River. Discharge rates are proposed to vary as a function of flow rates measured in the Partridge River; discharge must meet water quality standards and be protective of aquatic life. The Area 6 Pit will serve as the third source of ore. After the Area 2WX Pit is dewatered, water in the Area 6 Pit will be pumped to the Partridge River over approximately a 10-year period. The 10-year period is based on discharge rates that are protective of water quality, especially for total dissolved solids (TDS) and hardness, where discharge flows are proposed to vary as a function of flow rates measured in the Partridge River. Once the Area 6 Pit is pumped dry, it will be used as an additional source of high-quality Lower Cherty ore for the last 10 years of the project.

### **No Action Alternative.**

The EIS will describe the expected condition if the proposed project is not developed, with respect to the potential environmental and socioeconomic effects. The no-action or “no build” alternative will include the operation of the previously permitted LSDP Plant using purchased concentrate.

### **Area 6 Alternative. Area 6 Alternative – Do Not Dewater or Mine Area 6 Pit**

The DNR and USACE do propose to evaluate an alternative means of obtaining low-silica ore from the Lower Cherty formation at Area 6.

Low-silica ore will be obtained from two locations: Area 6NW and Area 2WX. Mining will be sequenced to coincide with the proposed initial dewatering of Area 2WX Pit.

Mining will commence in the new Area 6NW Pit; this will be the source of Lower Cherty Ore over the entire project life. No mining will be conducted in the Area 6 Pit.

The second source of ore will be the Area 2WX Pit, which will be pumped dry over a period of two years and mined over the entire life of the project. Dewatering will be pumped in a pipeline to the Partridge River. Discharge rates are proposed to vary as a function of flow rates measured in the Partridge River; discharge must meet water quality standards and be protective of aquatic life. Mining of Area 2WX will continue for the remainder of the project.

**Technology Alternatives.** The EIS will evaluate the following technology alternatives for the proposed project:



Wastewater Treatment - The EIS will evaluate a wastewater treatment alternative to the proposed discharge to the Partridge River from the Areas 2WX and 6 Pits; both pits exhibit elevated levels of TDS and hardness, while the Area 6 Pit also has elevated sulfate concentrations. The analysis will principally rely on elements of the non-degradation evaluation the proposer will be required to complete for project-related water quality permitting (e.g., NPDES). At a minimum, an evaluation of membrane-based treatment (e.g., ultrafiltration/nanofiltration) combined with chemical precipitation will be conducted for a portion or all of the discharge from one or both pits

Air Pollution Control Technology - The EIS will provide a summary of the Best Available Control Technology (BACT) evaluation to be conducted for the project as part of the Prevention of Significant Deterioration (PSD) air permit application. The BACT analysis will provide an evaluation of alternative air pollution control technologies for the project.

**Modified Designs or Layouts.** The EIS will evaluate the following modified design or layout alternatives to the proposed project:

Tailings Disposal -The DNR and USACE do not propose to evaluate alternative in-pit disposal locations in the EIS. The project proposes to use the Area 1 Pit for tailings disposal. This is the only pit under full control of the proposer (i.e., surface and mineral rights). No other potentially available pits are known to be for sale. Preliminary investigations also indicate that significant iron ore resources still remain at other pits, which is not the situation at the Area 1 Pit. Securing permission or mineral rights to place tailings in other pits is very complex and uncertain. The underlying project need or purpose is not met with use of other pit(s).

Overburden and Waste Rock Stockpiles - The DNR and USACE propose to evaluate alternative design and location of stockpiles for feasibility, benefits, and impacts. Alternative designs could include in-pit stockpiling to create shallow water aquatic habitat, to reduce production of dissolved solids in waste rock seepage or other designs that could have significant environmental benefits. Alternative designs could include enhanced capping and lining of certain waste rock stockpiles to reduce production of dissolved solids in waste rock seepage. Alternative locations could include stockpiling on public lands in Section 36.

Alternative Design for Wetlands/Littoral Areas and Wildlife Habitat - The DNR and USACE propose to evaluate an alternative design(s) to emphasize creation of wetland and/or littoral areas from the proposed project. The DNR and USACE propose to evaluate re-establishment of wildlife habitat either within the former pit or at the perimeter of the pit at the conclusion of mining.

**Incorporation of Mitigation Measures.** The EIS will consider all mitigations suggested through public comment.

**EIS Schedule.** The tentative EIS schedule includes Draft EIS publication in Summer 2009, Final EIS publication in Fall 2009, and determination of EIS adequacy in Winter 2009.

**RGU:** Minnesota Department of Natural Resources

**Contact Person:**

Kirk Rosenberger, Principal Planner  
Ecological Resources  
Minnesota Department of Natural Resources  
500 Lafayette Road, Box 25, St. Paul, MN 55155-4025  
Phone: 651-259-5163  
Email: kirk.rosenberger@dnr.state.mn.us

## **Notice of Availability of Draft State Environmental Impact Statement and Public Hearing**

### **New Ulm Municipal Airport Proposed Airport Improvement Project**

A Draft State Environmental Impact Statement (EIS) has been prepared which evaluates a proposed City Airport improvement project. The project includes extending Runway 15/33 1000 feet for a total length of 5400 feet, installing a Medium Intensity Approach Lighting System on Runway 33, and decommissioning and relocating the existing crossing runway 4/22 to a 9/27 orientation; resulting in a 3000 foot long turf runway. This document, which was prepared to satisfy both State EIS and Federal Environmental Assessment (EA) requirements, was distributed by letter dated April 2, 2009. Copies of the document are available for review at the City's Library at 17 N. Broadway, New Ulm, MN. There is a historic property which meets National Register criteria within the Area of Potential Effect for which the Federal Aviation Administration has issued a Section 106 finding of no adverse effect determination.

A concurrent Public Hearing/Public Information Workshop will be held on May 14, 2009 from 5:00pm to 8:00pm at the New Ulm City Council Chambers, 100 North Broadway, New Ulm, MN. The purpose of the workshop is to provide the public with information on the EIS/EA. All interested persons are invited to attend the hearing to present concise, relevant oral and written statements concerning the economic, social and environmental effects of the development and its consistency with the goals and objectives of each affected areas land use or planning strategy.

Written comments will be accepted through May 24, 2009 and should be directed to Steven P. Koehler, P.E., City Engineer at City of New Ulm, 100 North Broadway, New Ulm, MN 56073.

## **NOTICE OF PUBLIC MEETING/REQUEST FOR PUBLIC HEARING**

Notice is hereby given that a Public Meeting will be held at the Buffalo Municipal Airport Arrival/Departure Building to discuss the Buffalo Municipal Airport Environmental Assessment (EA) for runway expansion. The meeting shall take place on April 9, 2009, 5-7 pm at the airport. If one requests a Public Hearing, the request must be in writing to the Buffalo City Administrator before April 3, 2009.

The City of Buffalo and the Federal Aviation Administration (FAA) are reviewing the proposed action of lengthening Runway 17/35 under the National Environmental Policy Act (NEPA).

The Proposed Action is to lengthen Runway 17/35 from 2,600 feet to 3,200 feet. This action will allow single/double engine aircraft to utilize the runway fully loaded.

The Public Meeting's purpose is to address the runway expansion project, any potential economic, social, and environmental concerns, and the airport's project consistency with the goals and objectives of the City of Buffalo, and adjacent governmental jurisdictions Land Use or Long Range Plans.

The meeting will also discuss 1.8 acres of wetland and 2.6 acres of floodplain impacts. Section 106 of the National Historic Preservation Act, Findings of Fact will be reviewed.



The public comment period regarding the EA document is from March 26 to April 24, 2009. Interested parties should send written comments within the review time period to : City of Buffalo, ATTN: Merton Auger, City of Buffalo, 212 Central Ave., Buffalo, Mn. 55313-1627 or Federal Aviation Administration, ATTN: Kandice Krull, 6020 28<sup>th</sup> Ave. South Room 102, Minneapolis, Mn. 55450.

The EA will be available for review at the following locations and times:

City of Buffalo  
212 Central Ave.  
Buffalo, Mn. 55313-1627  
Phone: 763-682-1181  
Hours: M-F, 8:00 AM-5:00 PM

Buffalo Airport, Arrival/Departure Bldg.  
1309 County Road 134  
Buffalo, Mn. 55313  
Phone: 763-682-1181  
Hours: M-F, 8:00 AM-5:00 PM

Great River Regional Library  
18 NW Lake Blvd.  
Buffalo, Mn. 55313  
Phone: 763-682-2753  
Hours: Mon.-Wed., 10:00 AM-8:00 PM  
Thursday 12:00-8:00 PM  
Friday 11:00 AM-5:00PM  
Saturday 10:00 AM-2:00 PM

## NOTICES

### Minnesota Department of Agriculture Notification of Releases of Genetically Engineered Organism

File Number	Company	Crop	Project	County
09-NO-060	Monsanto	Canola	Herbicide Tolerance	Norman
09-NO-061	Monsanto	Canola	Increased Yield	Pennington (2), Polk, Red Lake
09-NO-062	Monsanto	Canola	Herbicide Tolerance	Stearns, Wilkin
09-NO-063	Monsanto	Canola	Increased Yield	Pennington (2), Polk, Red Lake
09-NO-064	Pioneer	Corn	Herbicide Tolerance; Insect Resistance	Mille Lacs
09-NO-065	Monsanto	Canola	Increased Yield	Pennington (2), Polk, Red Lake
09-NO-066	Syngenta	Soybean	Herbicide Tolerance	Fillmore
09-NO-067	Dow AgroSciences	Soybean	Herbicide Tolerance	Fillmore
09-NO-068	Syngenta	Corn	Insect Resistance	Fillmore
09-NO-069	Dow AgroSciences	Soybean	Herbicide Tolerance	Renville
09-NO-070	Dow AgroSciences	Corn	Herbicide Tolerance	Renville
09-NO-071	Dow AgroSciences	Corn	Herbicide Tolerance	Fillmore

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).

## **Public Meeting Notice – West Central Regional Landscape Committee Minnesota Forest Resources Council**

The West Central Regional Landscape Committee of the Minnesota Forest Resources Council (MFRC) will meet on Friday, April 17, 2009, from 9:30 a.m. – 2:00 p.m. at T Maxwell's Restaurant, 1300 2<sup>nd</sup> Avenue NW, Staples, MN.

For more information, please contact Lindberg Ekola at (320) 256-8300 or go to the calendar on the MFR website at <http://www.frc.state.mn.us>.

### **STATE OF MINNESOTA Office of Energy Security**

**ISSUED: March 23, 2009**

#### **NOTICE OF APPLICATION ACCEPTANCE,**

#### **PUBLIC INFORMATION AND SCOPING MEETING**

**In the Matter of the EcoHarmony West Wind, LLC, Applications for a Large Wind Energy Conversion System Site Permit and a Certificate of Need for the EcoHarmony West Wind Project in Fillmore County**

**Certificate of Need and Site Permit Applications**

**PUC Docket Numbers: IP6688/CN-08-961 and IP6688/WS-08-973**

**PLEASE TAKE NOTICE** that the Minnesota Office of Energy Security Energy Facilities Permitting (EFP) staff will hold a public information and environmental report scoping meeting on the applications by EcoHarmony West Wind, LLC, a wholly-owned subsidiary of EcoEnergy Wind, LLC, to the Minnesota Public Utilities Commission (Commission) for a Certificate of Need (CON) and a Site Permit for a Large Wind Energy Conversion System (LWECS) of approximately 200 megawatts (MW ) to be located in Fillmore County, Minnesota.

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#### **PUBLIC INFORMATION MEETING**

**Wednesday, April 15, 2009 – 7:00 p.m.**

**at the**

**Harmony Fire Department**

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The purpose of the public meeting is to provide information about the proposed Project and to take public comment and input on the EcoHarmony site permit application, draft site permit issued by the Commission and on the scope of an Environmental Report to be prepared by EFP staff for the certificate of need proceeding. EFP staff will provide an overview of the state's wind energy site permitting process and the draft site permit. Representatives of EcoHarmony will be present to answer questions about the Project. Prior to the public information meeting, the Applicant will host an open house beginning at 6:30 p.m. at the **Harmony Fire Department, 910 Main Avenue South, Harmony, MN 55939**.

### **Project Description**

The Project may consist of up to 134 individual turbines, about 80 meters high (262 feet), each generating approximately 1.5 megawatts (MW) of electricity, although the turbine size and manufacturer have not yet been selected. A map showing the project boundary is attached. The Project also requires a number of associated facilities including access roads, an underground electrical collection system, two substations, an Operations and Maintenance building, and a new 161 kV overhead transmission line eight miles long. The Applicant anticipates that the Project will ultimately require between 50 and 77 acres for all the facilities. The Applicant expects to begin construction on the Project in late 2009 or early 2010 and to place it in operation in late 2010.

### **Project Review Process**

Two separate Commission approvals are required to build the EcoHarmony West Wind Project. First, a Certificate of Need under Minnesota Statutes 216B.243 for a large generating facility of this size is required. Second, a Site Permit for a LWECs under Minnesota Statutes Chapter 216F is required.

The Applicant filed an application for a Certificate of Need with the Commission on October 22, 2008. The Commission accepted the application on January 15, 2009. On January 26, 2009, the Applicant filed its LWECs Site Permit Application with the Commission. The Commission accepted this application on February 26, 2009, and approved the issuance of a draft Site Permit.

The EFP staff is responsible for conducting public meeting and environmental review for the CN Application and the public participation process for the Site Permit Application. The Environmental Report considers size, type, timing and general environmental impacts of a project.

A Route Permit for the proposed high voltage transmission line is required under Minnesota Statutes Chapter 216E. The Applicant intends to apply to Fillmore County for this authorization but has not done so as of this date.

### **Public Comments**

Interested persons may comment orally at the public meeting on the applications and the draft site permit and on the Project generally. In addition, written comments may also be submitted to the Office of Energy Security by the close of business (**4:30 p.m.**) on **May 20, 2009**. Written comments can be sent by mail, fax or by email. Please include the project docket numbers (**IP6688/CN-08-961 or IP6688/WS-08-973**) on all written comments. All comments should be directed to Larry Hartman at the address below.

### **Public Hearing**

After close of the comment period and preparation of the Environmental Report, the Public Utilities Commission will hold a public hearing on the certificate of need in Fillmore County. Separate notice of that hearing will be published in local newspapers and mailed to persons who place their names on the OES project mailing list.

In addition, any person may request a more formal contested case hearing on the site permit proceeding for the LWECS pursuant to Minnesota Rules part 7836.0900. All contested case hearing requests must be filed with Mr. Hartman in writing by 4:30 p.m. on May 20, 2009. The person requesting the contested case hearing must list the issues sought to be addressed in the hearing and the reason why a contested case hearing is required to resolve those issues. The Commission shall order a contested case hearing if it finds that a material issue of fact has been raised and that the holding of the contested case hearing will aid it in making a final decision on whether to authorize construction of the Project. Upon completion of the public participation and hearing process, the record created will be presented to the Commission for final decisions on the Applications.

### **Eminent Domain for EcoHarmony West Wind**

EcoHarmony West Wind, LLC, does not have the power of eminent domain to acquire the land or wind rights for the Project. Wind and land rights necessary to build the facility must be in the form of voluntary easements or lease agreements between individual landowners and the Applicant.

### **Project Contacts and Information**

For more information about the process or the Project or to place your name on the Project mailing list, contact the persons listed below. Other contact information: Toll-Free Tel: 1-800-657-3794, Fax: 651-297-7891 or TTY: Minnesota Relay Service, 800-627-3529, and ask for the DOC.

<p>OES Project Manager Larry Hartman 651-296-5089 <a href="mailto:larry.hartman@state.mn.us">larry.hartman@state.mn.us</a></p> <p>OES Public Advisor Suzanne Steinhauer 651-296-2888 <a href="mailto:suzanne.steinhauer@state.mn.us">suzanne.steinhauer@state.mn.us</a></p> <p>Minnesota Office of Energy Security 85 7<sup>th</sup> Place E., Suite 500 St. Paul, Minnesota 55101-2198</p>	<p>Commission Public Advisor (Certificate of Need) Bret Eknes 651-201-2236 <a href="mailto:bret.eknes@state.mn.us">bret.eknes@state.mn.us</a></p> <p>Minnesota Public Utilities Commission 121 7<sup>th</sup> Place E., Suite 350 St. Paul, Minnesota 55101-2147</p>
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The site permit application, draft site permit, certificate of need application and links to other OES guidance documents and agency rules guiding the review process are available on the PUC Energy Facilities Permitting Project webpage at:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19910>

You may register on this same website to be added to the Office of Energy Security mailing list associated with this Project and to receive future notices by U.S. Mail or e-mail notifications when additional project documents are available.

All filed documents are also available on the PUC website at:

<https://www.edockets.state.mn.us/EFiling/search.jsp>

In addition, these documents are available for review at the public libraries in Preston and Harmony, Minnesota, and at EcoHarmony's office at 725 Main Avenue North in Harmony. Landowners and governments inside the LWECs Project boundary have been mailed a CD containing the Certificate of Need Application and the Site Permit Application directly from the Applicant.

Questions about the Project and site permit application can also be directed to EcoHarmony by contacting Don Miller at Tel (507) 886-6570 or [DMiller@Ecoenergyllc.com](mailto:DMiller@Ecoenergyllc.com)

*(Project map is on the next page)*

