



## Minnesota Environmental Quality Board

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**Next Publication (8:00 AM): February 15, 2016**  
Submittal Deadline (4:00 PM): February 8, 2016  
**Use the [EQB Monitor Submission Form](#)**  
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### Environmental Impact Statement Need Decision

The noted responsible governmental unit has determined the following project does 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*.

- City of Saint Anthony Village, Mirror Lake Improvements, 1-26-16 (11-9-15)
- City of Faribault, Faribault Foods Relocation and Expansion, 1-26-16 (12-7-15)

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### Environmental Assessment

Comment Deadline: March 9, 2016

A mandatory state EAW is not required for this project.

**Project Title: Environmental Assessment (EA)  
for 66th Street (CSAH 53) Reconstruction Project**

**Local and Federal Project Sponsors:** Hennepin County and Federal Highway Administration (FHWA)

**Project Description:** Hennepin County proposes to reconstruct 66th Street (CSAH 53) between Xerxes Avenue and 16th Avenue to improve safety and mobility, including adding bicycle and pedestrian facilities, dedicated turn lanes, and roundabouts at two intersections.

The County has prepared an Environmental Assessment (EA) and is soliciting comments on the anticipated impacts and proposed mitigation. The County is also soliciting comments on the effects this project would have on Monroe Park. The project will impact 0.18 acres of the 9.5 acre park to realign an existing trail access to meet ADA standards, resulting in no adverse effect to the functions or facilities of the park.

Hennepin County will request that the Federal Highway Administration determine that the impact to Monroe Park is a de minimis impact in accordance with Section 4(f) of the US Department of Transportation Act of 1966. A de minimis finding may be made when uses of Section 4(f) land will have no adverse effect on the protected resource.

The EA, including information on the Section 4(f) process, is available at <http://www.hennepin.us/residents/transportation/66th-st-richfield>. The findings will be available for review at a public open house on:

Thursday, February 18, 2016  
5:00-7:00 pm  
Richfield Community Center  
7000 Nicollet Avenue  
Richfield, MN 55423

Copies of the EA will also be available at the Hennepin County Library (Augsburg Park) in Richfield, 7100 Nicollet Ave, Richfield, MN 55423.

Written comments will be accepted through March 9, 2016, and should be directed to:

Mr. Maury Hooper  
Hennepin County Project Manager  
1600 Prairie Drive  
Medina, MN 55340  
[maury.hooper@co.hennepin.mn.us](mailto:maury.hooper@co.hennepin.mn.us)

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## Alternative Urban Areawide Review Adoption

# Project Title: Brooklyn Park Gateway AUAR

The City of Brooklyn Park Council passed and adopted a resolution on January 25, 2016, approving the Brooklyn Park Gateway AUAR.

**RGU:** City of Brooklyn Park

**Contact Person:**  
Todd Larson  
Senior Planner

5200 85th Avenue North  
Brooklyn Park, MN 55443  
[Todd.Larson@brooklynpark.org](mailto:Todd.Larson@brooklynpark.org)  
763-493-8069

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## Notices

# Notice of Hearing

Docket No. 65-2002-32247

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

FOR MINNESOTA DEPARTMENT OF NATURAL RESOURCES

In the Matter of Water Appropriation  
Permit Application 2013-1158  
Larson Farms Since 1871 LLP

### NOTICE OF HEARING

The Department of Natural Resources (DNR) has initiated a contested case pursuant to Larson Farms Since 1871 LLP's (Respondent's) request to determine if the Department's decision to deny Water Appropriation Permit Application 2013-1158 is consistent with applicable Minnesota statutes and rules. A contested case hearing will be held on Thursday, February 25, Friday, February 26, and Monday, February 29, 2016, at 10:00 a.m., at Gray Plant Mooty Law Office, located at 1010 West Saint Germain Street, Suite 500, St. Cloud, MN 56301.

### ALLEGATIONS

1. On or about April 1, 2013, Respondent submitted Water Appropriation Permit Application 2013-1158 to the DNR. Application 2013-1158 requested authorization to appropriate groundwater extracted from MDH Unique Well # 797169 (Well # 797169) to irrigate 50 acres of row crops in Wilkin County. The requested appropriation was for 16.3 million gallons per year (MGY) to irrigate 50 acres at a rate of 450 gallons per minute (GPM).

2. Minnesota Statute section 103G.271, subd. 4 and Minn. R. 6115.0620 require a DNR Appropriation Permit for projects that use more than 10,000 gallons of water per day or 1 MG/Y. In 1991, the Minnesota Legislature adopted Minn. Stat. § 103G.223 that requires the DNR to protect calcareous fens.

3. Calcareous fens are a rare and distinctive category of Type 2 wetlands. Calcareous fens that have been identified by the Commissioner "may not be filled, drained, or otherwise degraded, wholly or partially, by any activity unless the Commissioner, under an approved management plan, decides some alteration is necessary." Minn. Stat. § 103G.223. Town Hall Prairie Fen (Calcareous Fen 7071) and Anna Gronseth Prairie Fen (Calcareous Fen 2027) are located 2,500 feet and 4,000 feet from Well # 797169.

4. Based on data gathered over the 2013 growing season, evaluation of said data, and hydrologic modeling DNR staff concluded that there is a substantial likelihood that under the appropriation options proposed by Respondent, Well # 797169 would adversely impact the Town Hall Prairie Fen and/or the Anna Gronseth Fen in violation of Minn. Stat. § 103G.223, and denied the application.

**ISSUES**

1. Whether the proposed groundwater appropriation has the potential to wholly or partially drain or degrade calcareous fens protected by Minn. Stat. § 103G.223?

2. Whether it is necessary within the meaning of Minn. Stat. 103G.223 to wholly or partially drain or otherwise degrade the Town Hall Prairie Fen or the Anna Gronseth Fen?

For a complete copy of the Notice and Order for Prehearing Conference and Hearing, contact Adam Kujawa, Minnesota Attorney General's Office, 445 Minnesota Street, Suite 900, St. Paul, Minnesota 55101, phone (651) 757-1257.

Dated this 27<sup>th</sup> day of January, 2016.

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

/s/ Barbara L. Naramore  
 BARBARA L. NARAMORE  
 Assistant Commissioner of Natural Resources

## Minnesota Department of Agriculture - Notification of Releases of Genetically Engineered Organisms

MDA Notification	Applicant	Crop	Project Category	County(s)
16-NO-001	Pioneer HI-BRED International	corn	Herbicide Tolerance, Insect Resistance, Selective Marker	Blue Earth (2)

Pioneer HI-BRED International, filed a Notification for Releases of Genetically Engineered Organisms with the Minnesota Department of Agriculture, MDA notification number 16-NO-001. Notification is for genetically modified corn, pending USDA-APHIS Biotechnology Regulatory Services (BRS) approval for the environmental release of transgenic corn, referenced as Application Number 16-015-106n. Notification is for up to 8 acres and 25 acres for release sites in Blue Earth County, MN.

For additional information contact Clifford Watrin, Minnesota Department of Agriculture, 625 Robert St N., St. Paul, MN 55155, 651-201-6531, [clifford.watrin@state.mn.us](mailto:clifford.watrin@state.mn.us)

MDA Notification	Applicant	Crop	Project Category	County(s)
16-NO-002	Pioneer HI-BRED International	corn	Herbicide Tolerance, Insect Resistance, Selective Marker	Blue Earth (2)

Pioneer HI-BRED International, filed a Notification for Releases of Genetically Engineered Organisms with the Minnesota Department of Agriculture, MDA notification number 16-NO-002. Notification is for genetically modified corn, pending USDA-APHIS Biotechnology Regulatory Services (BRS) approval for the environmental release of transgenic corn, referenced as Application Number 16-015-107n. Notification is for up to 8 acres and 25 acres for release sites in Blue Earth County, MN.

For additional information contact Clifford Watrin, Minnesota Department of Agriculture, 625 Robert St N., St. Paul, MN 55155, 651-201-6531, [clifford.watrin@state.mn.us](mailto:clifford.watrin@state.mn.us)

## **Notice of Permit Decision in the Matter of the Application of Minnesota Power for a Route Permit for the 16 Line Reroute Project in Saint Louis County- Public Utilities Commission Docket Number: E015/TL-14-977**

**NOTICE IS HEREBY GIVEN** that at a meeting on January 6, 2016 and in an Order issued on January 22, 2016. In the Order the Public Utilities Commission found that: (1) the environmental assessment prepared for the project met the requirements of Minnesota Rules 7850.2500; and (2) issued a route permit for the 16 Line high voltage transmission line reroute project in Saint Louis County authorizing Minnesota Power to construct and operate the new facility.

Minnesota Power applied to the Commission for a route permit to construct an approximately 3-mile 115 kilovolt alternating current high-voltage transmission line located south of Fayal Township in Saint Louis County. As part of the project, three miles of existing 115-kV transmission line would be taken out of service and removed.

For additional information, contact: Michael Kaluzniak, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, Saint Paul, MN 55101, 651-201-2257, [mike.kaluzniak@state.mn.us](mailto:mike.kaluzniak@state.mn.us).

# Good Cause Exempt Rulemaking Relating to Recreational Trails

The EQB will be engaged in “good cause” rulemaking to make its rules consistent with changes directed through statute adopted in the 2015 legislative session.

Good cause rulemaking is a streamlined process that is limited to only rule amendments that do not require any interpretation of law. This means that the public will be invited to comment only on whether the EQB’s proposed rule amendments accurately incorporate the legislative directives. Interested parties who wish to be notified of their opportunity to comment and the final adoption of these amendments are encouraged to register for Govdelivery at <https://public.govdelivery.com/accounts/MNEQB/subscriber/new>

Interested parties have five (5) business days after the date of this notice to submit a comment to the Office of Administrative Hearings. You may submit comments until 4:30 p.m. on February 12, 2016. The EQB requests that any person submitting a comment to the Office of Administrative Hearings.

Contact Persons: The Office of Administrative Hearings contact person is: Denise Collins, Office of Administrative Hearings, at PO Box 64620, St. Paul, MN 55164-0620, phone 651-361- 7875, Fax 651- 361-7936, and e-mail [rulecomments@state.mn.us](mailto:rulecomments@state.mn.us).

For additional information about this rulemaking, contact Erik Cedarleaf Dahl at [erik.dahl@state.mn.us](mailto:erik.dahl@state.mn.us) or 651-757-2364.