

## The *EQB Monitor*

520 Lafayette Road North, Saint Paul, MN 55155 - [www.eqb.state.mn.us](http://www.eqb.state.mn.us)  
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**Publication Schedule:** Mondays at 8:00 AM  
**Submission Deadline:** [View 2018 Schedule](#)  
Use the [EQB Monitor Submission Form](#)

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The *EQB Monitor* is a weekly publication announcing environmental review documents, public comment periods and other actions of the Environmental Quality Board. For more information on environmental review, please visit the [EQB website](#).

You can manage your subscription to the *EQB Monitor* [here](#). Be sure to add [MNEQB@public.govdelivery.com](mailto:MNEQB@public.govdelivery.com) to your address book or safe sender list.

Check the [EQB Calendar](#) for more details on *Monitor* deadlines and Board Meetings. Meeting minutes, agendas and additional notices are also posted on the [EQB Website](#).



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## Environmental Assessment Worksheet Need Decisions

The noted responsible governmental unit has made a decision regarding the need for an Environmental Assessment Worksheet in response to a citizen's petition.

- Larry Twedt 3020 Head Swine Finishing Barn Project (Denied - the Minnesota Pollution Control Agency determined the project is exempt from Environmental Review)
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## Environmental Impact Statement Need Decisions

The noted responsible governmental unit has determined the following project does not require preparation of an Environmental Impact Statement. The dates given are, respectively, the date of the determination and the date the Environmental Assessment Worksheet notice was published in the EQB *Monitor*.

- City of Carver, Lakeview Industries, 11-5-18 (10-1-18)
- City of Rochester Common Council, Bloom Riverfront Towers, 10-26-18 (9-3-18)

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## Alternative Urban Areawide Review Updates

### Project Title: Final AUAR Update for Ramsey COR

**Comment Deadline:** December 3, 2018

**Project Description:** The COR (formerly Ramsey Town Center) study area is a 369.50-acre project in the City of Ramsey. The area is bounded by the Burlington Northern Santa Fe railroad on the south, Armstrong Boulevard on the west and Ramsey Boulevard (Highway 56) on the east. Of the 369.50 acre, 146.55 have been developed or are approved for development. The original AUAR was published on June 24, 2003. This is the second 5-year update for the study area. The 2018 AUAR Update is available for review on the City's website at <https://www.ci.ramsey.mn.us/463/The-COR>.

All comments concerning the AUAR Update should be received by the City of Ramsey no later than December 3, 2018. All comments should be forwarded to: Chris Anderson City of Ramsey 7550 Sunwood Drive NW Ramsey, MN 55303 [canderson@ci.ramsey.mn.us](mailto:canderson@ci.ramsey.mn.us) and Alison Harwood WSB 540 Gateway Boulevard Burnsville, MN 55337 [aharwood@wsbeng.com](mailto:aharwood@wsbeng.com)

**Responsible Governmental Unit (RGU):** City of Ramsey

**RGU Contact Person:**

Chris Anderson  
City Planner  
7550 Sunwood Drive NW  
Ramsey, MN 55303  
763-433-9817  
[canderson@ci.ramsey.mn.us](mailto:canderson@ci.ramsey.mn.us)

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## Alternative Urban Areawide Review Update Adoptions

### Project Title: The West End AUAR Update

**Project Description:** The West End study area consists of 48.6 acres located at the southwest corner of I-394 and Trunk Highway 100 in St. Louis Park, MN, with eastern portions of the site in Golden Valley, MN. The City of St. Louis Park adopted The West End Final AUAR in March 2007. Since that time, some development within the study area has occurred. An update to the AUAR was adopted by the City of St. Louis Park in October 2013. Since the study area is not yet fully developed, another update was prepared that includes one additional scenario as outlined by the developer, which changes the amount of residential use previously proposed for the site. This AUAR Update was adopted on November 5, 2018. The final AUAR Update is available on the City's website at <https://www.stlouispark.org/government/departments-divisions/planning-zoning/planning-studies>.

**Responsible Governmental Unit (RGU):** City of St. Louis Park

**RGU Contact Person:**

Sean Walther  
Planning and Zoning Supervisor  
5005 Minnetonka Blvd  
St. Louis Park, MN 55416  
952-924-2574  
[swalther@stlouispark.org](mailto:swalther@stlouispark.org)

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## EQB Announcements

### Environmental Quality Board Meeting

The Environmental Quality Board will meet November 21, 2018 from 1:30 p.m. to 4:30 p.m. at the Veterans Service Building in St. Paul, Minnesota. All board meetings are open to the public. The meeting will also be available via live WebEx on November 21 from 1:30 p.m. to 4:30 p.m. You will be able to access the webcast on our website: [www.eqb.state.mn.us](http://www.eqb.state.mn.us)

Veterans Service Building  
W 12th St  
St. Paul, Minnesota

Meeting agendas, minutes, and handouts are posted on the Environmental Quality Board webpage. Note: Additional documents have been added to the packet including the previously pending "Summary of written and oral comments" and additional "Written comment letters received."

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## Notices

### Notice of Public Hearing, Environmental Assessment Availability, and Comment Period

**Comment Deadline:** December 20, 2018

Public Utilities Commission (Commission) – Notice of Public Hearing, Environmental Assessment availability and comment period on the high voltage transmission line (HVTL) route permit application for the proposed Blazing Star Wind Farm 2 HVTL project in Lincoln County, Commission Docket No. IP-6985/TL-17-701. The Commission is providing notice of environmental assessment availability and that it will hold a Public Hearing on the proposed Blazing Star 2 Wind Farm HVTL project at 6 PM on December 6, 2018 at the Hendricks Public School Gymnasium, 200 Lincoln Street, Hendricks, MN 56136.

Blazing Star 2 Wind Farm 2, LLC (Blazing Star 2) has filed a route permit application to build an approximately 7.5-mile 115 kV HVTL and associated facilities for the proposed Blazing Star Wind Farm 2. Blazing Star 2 proposes the 115 kV HVTL to interconnect the proposed Blazing Star Wind Farm 2 to the Brookings to Hampton 345 kV Line. Blazing Star Wind Farm 2 is being reviewed under a separate site permit process, Commission Docket No. WS-17-700. On November 6, 2018 the Commission granted a large wind energy conversion system (LWECS) site permit to Blazing Star Wind Farm 2 to construct and operate the up to 200 megawatt LWECS. The LWECS will be comprised of 57 to 100 wind turbines ranging from 2 to 3.5 megawatts in size and associated facilities.

Comments on the Blazing Star 2 HVTL route permit and the environmental assessment will be accepted by various methods until December 20, 2018, as noticed. Documents related to this docket can be obtained for the project at the Commission's website at [mn.gov/puc](http://mn.gov/puc), select search eDockets, enter year (17) and the docket number (701), select search.

**Responsible Governmental Unit (RGU):** Minnesota Public Utilities Commission

**RGU Contact Person:**

Charley Bruce  
121 7<sup>th</sup> Place E., STE 350  
St. Paul, MN 55101  
651-201-2254  
[publicadvisor.puc@state.mn.us](mailto:publicadvisor.puc@state.mn.us)

## **Notice of Availability for Supplemental Information of an Environmental Assessment Worksheet**

**Comment Deadline:** December 11, 2018

The Minnesota Pollution Control Agency (MPCA) is opening a second comment period specifically limited to addressing supplemental information related to the sinkhole investigation and Electric Resistivity Imaging (ERI) completed for the Environmental Assessment Worksheet for the Catalpa Ag, LLC Project in Sections 7 and 18 of Newburg Township, Fillmore County, Minnesota (Project).

The comment period on the supplemental information will begin on November 19, 2018, and close at 4:30 pm on December 11, 2018.

The MPCA will also host a public informational meeting on Tuesday, December 4, at 6:30 pm to 8:00 pm, limited to the sinkhole investigation and ERI completed for the Project at the Mabel Community Center, 201 Main St S, Mabel, MN. The MPCA will use this supplemental information and any written comments received on the supplemental information during the second comment period in deciding on the need for an Environmental Impact Statement (EIS) and whether the Project has the potential for significant environmental effects in accordance with Minn. R. 4410.1700.

The MPCA will only consider written comments on the supplemental information, i.e., the sinkhole investigation and ERI testing. Comments that relate to other issues that were addressed in the original comment period will not be considered.

An electronic version of the documents are available on the MPCA Environmental Review webpage at <https://www.pca.state.mn.us/quick-links/catalpa-ag-llc>

If you would like a copy of the documents or have any questions on the EAW, contact:

**Responsible Governmental Unit (RGU):** Minnesota Pollution Control Agency

**RGU Contact Person:**

Charles Peterson  
Project Manager  
Minnesota Pollution Control Agency  
520 Lafayette Road N  
St. Paul, MN 55155  
651-757-2856  
[charles.peterson@state.mn.us](mailto:charles.peterson@state.mn.us)

## **Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number RD-04157**

Proposed Amendment to Rules Governing Environmental Review, *Minnesota Rules*, 4410.0200, 4410.0500, 4410.4300, 4410,4400, 410,5200, 4410.7904, 4410.7906, 4410.7926, 4410.4600

**Introduction.** The Environmental Quality Board intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on January 7, 2019, the Environmental Quality Board will hold the following two public hearings.

The first hearing, in Room 100, Minnesota Pollution Control Agency, 520 Lafayette Road, St. Paul, MN 55155, starting at 10:00 am on Wednesday, January 23, 2019 and, the second hearing at Great River Regional Library, 1300 W St. Germain St., St Cloud, MN 56301, starting at 10:30am on Monday January 28, 2019. To find out whether the Environmental Quality Board will adopt the rules without a hearing or if it will hold the hearings, you should contact the agency contact person after January 7, 2019 and before January 23, 2019.

**Agency Contact Person.** Submit any comments or questions on the rules or written requests for a public hearing to the Environmental Quality Board contact person. The Environmental Quality Board contact person is:

Erik Cedarleaf Dahl  
Environmental Quality Board  
520 Lafayette Road N  
St. Paul, MN 55155  
651-757-2364 (phone)  
651-757-2343 (fax)  
[erik.dahl@state.mn.us](mailto:erik.dahl@state.mn.us).

**You may also review the proposed rule and submit written comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/discussions/35532-environmental-quality-board-notice-of-intent-to-adopt-rules>.**

**Subject of Rules and Statutory Authority.** The proposed rules are about Environmental Review: definitions, RGU selection process, Mandatory EAW Categories, Mandatory EIS Categories, Exemptions, Required notices, Licensing of Explorers, Content of an application for drilling permit, Abandonment of Exploratory Borings. The statutory authority to adopt the rules is *Minnesota Statutes, section 116D.04, subdivisions 2a(a), 4a, 5a; Minnesota Statutes 116D.045, subdivision 1; Laws of Minnesota 2013, Chapter 114, Article 4, Section 105; Laws of Minnesota 2015, Chapter 4, Article 4, Section 121; Minnesota Statutes 116C.991; Laws of Minnesota 2015, Chapter 4, Section 33*. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on January 7, 2019 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Environmental Quality Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on January 7, 2019. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, the Environmental Quality Board will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format/Accommodation.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. 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 Environmental Quality Board might modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Environmental Quality Board follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Environmental Quality Board encourages you to participate in the rulemaking process.

**Cancellation of Hearing.** The Environmental Quality Board will cancel the hearing(s) scheduled for January 23, 2019 and January 28, 2019 (in St. Cloud) if the Environmental Quality Board does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the Environmental Quality Board will notify you before the scheduled hearings whether the hearings will be held. You may also call the agency contact person at 651-757-2364 after January 7, 2019 (4:30pm) to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, the Environmental Quality Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Environmental Quality Board will hold the hearings on the dates and at the times and places listed above. The hearings will continue until all interested persons have been heard. Administrative Law Judge, LauraSue Schlatter is assigned to conduct the hearings. Judge LauraSue Schlatter can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone (651) 361-7875, and fax (651) 539-0310.

**Hearing Procedure.** If the Environmental Quality Board holds a hearing, you and all interested or affected persons, including representatives of associations or 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 hearing record closes. 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. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit **new** evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/discussions/35532-environmental-quality-board-notice-of-intent-to-adopt-rules> no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Environmental Quality Board or on the Environmental Quality Board website at <https://www.eqb.state.mn.us/content/eqb-mandatory-categories-rulemaking>. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge before 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.

**Statement of Need and Reasonableness.** The statement of need and reasonableness summarizes 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. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. The SONAR will be available at the Environmental Quality Board's website here: <https://www.eqb.state.mn.us/content/eqb-mandatory-categories-rulemaking>.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The Environmental Quality Board will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure after a Hearing.** If a hearing is held, 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 that the Administrative Law 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 that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

A copy of the proposed rules can be downloaded here:

[https://www.egb.state.mn.us/sites/default/files/documents/1\\_Revisor%20Certified%20Rules%209\\_5\\_2018.pdf](https://www.egb.state.mn.us/sites/default/files/documents/1_Revisor%20Certified%20Rules%209_5_2018.pdf)