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EQB MONITOR

ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: January 28, 2009

NOTICE: The EQB *Monitor* Publication Calendar for 2009 is included in this edition.

Public Hearings on Rule Amendments Coming Soon

The EQB has received approval from the Governor's Office to proceed with holding public hearings on proposed amendments to the Environmental Review program rules. The proposed rules would amend or add 29 subparts in Chapter 4410, consisting of five topical areas:

- New mandatory EAW, EIS, and Exemption categories that would apply to certain projects located in the shoreland areas of lake and rivers;
- Amendments to how the rules handle treatment of "cumulative potential effects" in EAWs, EIS, and Alternative Urban Areawide Reviews (AUARs) in response to a 2006 Minnesota Supreme Court decision;
- Amendments to the Alternative Urban Areawide Review (AUAR) process with respect to how specific individual projects are treated or how they affect the review;
- A new mandatory EIS category for releases of genetically-engineered wild rice, in response to a legislative directive in the 2007 session; and
- Miscellaneous other amendments to clarify the meaning of certain rule provisions.

The EQB expects to give official notice of the hearings about January 19, 2009, and to hold hearings the last week of February and first week of March, 2009. Official notice will be given in the State Register and will also be given in the Monitor, at the EQB website, and by mail or email to interested persons.

Information about the proposed amendments is now available at the EQB website homepage under the link "Statement of Need and Reasonableness" listed under the Notices section.

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>

Project Title: Frankford Township Rock Quarry

Description: Ulland Brothers, Inc. proposes to extract rock on approximately 70 acres of unplatted land within the NE ¼ of the SW ¼, and the NW ¼ of the Section 9 in Frankford Township. The proposed rock quarry is an expansion of the existing quarry adjacent to the north. The site is zoned Rural Management, and is currently used as agricultural cropland. Upon completion of the quarry operations the property will be reclaimed for use as a freshwater quarry lake.

Copies of the EAW are available for review at Mower County's office of Environmental Services and the Rochester Public Library beginning December 29, 2008. Mower County will accept written comments on the EAW until January 28th 2009. Public comments should be directed to Angela M. Knish, Environmental Services Director, 1105½ 8th Avenue NE, Austin, MN 55912.

RGU: Mower County Environmental Service

Contact Person:

Angela M. Knish
1105 ½ 8th Avenue NE
Austin, MN 55912
Phone: 507-437-9560
Fax: 507-437-9585
Email: angiek@co.mower.mn.us

Project Title: Afton Center

Description: A mixed residential/retail development in the "Old Village" of Afton, MN. The development includes the establishment of a wastewater treatment plant, storm water control measures, green buildings with up to 48 residential and 12 commercial/retail units. The project includes water reuse, green roofs, permeable parking surfaces, and public open spaces.

RGU: City of Afton

Contact Person:

James Norman
City Administrator
3033 Saint Croix Trail S. Box 219
Afton, MN 55001
Phone: 651-436-5090
Fax: 651-436-1453
Email: mayor@ci.afton.mn.us

Project Title: St. Louis County Public Works Borrow Pit Expansion

Description: The St. Louis County Public Works Department plans to open a County owned gravel pit intended to serve the public. This pit will provide a source of gravel for County road maintenance and also serve as a public fee borrow pit.

Copies of the EAW are available in the Office of the City Engineer, 401 East 21st Street, Hibbing, MN 55746 and the Hibbing Public Library, 2020 5th Avenue East, Hibbing, MN 55746. Comments on the EAW should be submitted in writing to the Office of the City Engineer, 401 East 21st Street, Hibbing, MN 55746 by January 28, 2009.

RGU: City of Hibbing

Contact Person:

John Suihkonen
City Engineer
401 East 21st Street
Hibbing, MN 55746
Phone: 218-362-5944
Fax: 218 312-9722
Email: jsuihkonen@ci.hibbing.mn.us

Project Title: River Hill Farms

Description: Gold Nugget Development is proposing development of a 168.8 acre, 234 lot single-family and 72 unit multi-family residential community in the city of Dayton, Minnesota south of Dayton River Road and north of North Diamond Lake Road. All lots are proposed to have urban services.

RGU: City of Dayton

Contact Person:

Erin Stwora
Assistant to the City Administrator
12260 S. Diamond Lake Road
Dayton, MN 55327
Phone: 763-427-4589
Fax: 763-427-3708
Email: estwora@cityofdaytonmn.com

Project Title: Lowry Avenue Bridge Replacement Project

Description: Replacement of the Lowry Avenue Bridge and reconstruction of Lowry Avenue from 2nd Avenue N to Marshall Street NE in Minneapolis, to include expansion from two lanes to four lanes. The bridge would span from just west of the Canadian Pacific Railway (CP Rail) to Marshall Street NE, approximately 1,600 feet.

RGU: Hennepin County Transportation Department

Contact Person:

Jacob Z. Bronder, P.E.
Senior Project Manager and Bridge Engineer

Hennepin County Transportation Department
1600 Prairie Drive
Medina, MN 55340
Phone: 612-596-0372
Fax: 763-478-4000
Email: jacob.bronder@co.hennepin.mn.us

Project Title: Interstate 494 Pavement Overlay (10" un-bonded concrete) and Third Lane Addition

Description: The Interstate 494 Pavement Overlay (10" un-bonded concrete) and Third Lane Addition will provide new concrete pavement on I-494 from south of Lake Road to the I-94 interchange. From I-94 to the north end of the project near 4th Street bridge the pavement will have either a 4-inch bituminous overlay or a 10-inch concrete overlay/replacement through this area. A third lane in each direction will also be constructed from Lake Road to I-94 by utilizing the existing auxiliary lanes between the interchanges.

RGU: Minnesota Department of Transportation, Metro District

Contact Person:

Richard Dalton
Environmental Coordinator, Project Documentation
1500 W. Co. Rd. B2
Roseville, MN 55113
Phone: 651-234-7677
Fax: 651-234-7608
Email: richard.dalton@dot.state.mn.us

Project Title: Trunk Highway 37 - Penobscot Creek, Channel Change and Bridge Replacement, City of Hibbing, St. Louis County

Description: The Minnesota Department of Transportation is proposing to replace Bridge No. 8904; a 14' diameter steel pipe culvert; over Penobscot Creek in Hibbing, Minnesota. The highway bridge improvement is located on Trunk Highway (TH) 37 in St. Louis County, 1.8 miles east of the junction of TH 169. The purpose of the project is to address deficiencies with the existing bridge which is classified as structurally deficient.

Copies of the EAW, which documents the purpose and need for the project, along with the anticipated social, economic and environmental impacts, are available for public viewing beginning **December 29, 2008** during regular business hours at the following locations:

- Minnesota Department of Transportation, District 1 - Duluth Office
1123 Mesaba Avenue Duluth, MN 55811
- Minnesota Department of Transportation, District 1 – Virginia Office
101 North Hoover Road, Virginia, MN 55792
- Hibbing Public Library
2020 East 5th Avenue, Hibbing, MN 55746

Copies of the EAW are being distributed to agencies on the current MEQB list and others. The comment period will begin on **December 29, 2008**. Comments will be accepted through **January 28, 2009**.

The EAW can be made available in alternative formats to individuals with disabilities by calling Brian Larson, Mn/DOT Project Manager at (218) 725-2745.

RGU: Minnesota Department of Transportation

Contact Person:

Brian Larson, Project Manager
Minnesota Department of Transportation, District 1
1123 Mesaba Avenue
Duluth, MN 55811
Phone (218) 725-2745
Email: Brian.larson@dot.state.mn.us

Project Title: Interstate 494 Pavement Overlay and Third Lane Addition, Cities of Maplewood, Oakdale, Woodbury – Ramsey, Washington Counties

Description: The Minnesota Department of Transportation is proposing to construct a continuous third lane in each direction from south of Lake Road to Interstate 94 by connecting the existing auxiliary lanes between the Lake Road, Valley Creek Road, Tamarack Road and Interstate 94 interchanges. This project will provide new concrete pavement on Interstate 494 from south of Lake Road to the Interstate 94 interchange.

Copies of the EAW, which documents the purpose and need for the project, along with the anticipated social, economic and environmental impacts, are available for public viewing beginning December 29, 2008 during regular business hours at the following locations:

- Minnesota Department of Transportation, Metro District
1500 W. County Rd B2, Roseville, MN 55113
- Minnesota Department of Transportation Library
395 John Ireland Blvd., St. Paul, MN 55155
- Legislative Reference Library
645 State Office Building, St. Paul, MN 55155
- R H Stafford Library – Washington County Library
8595 Central Park Place, Woodbury, MN 55125
- Maplewood Library – Ramsey County Library
3025 Southlawn Drive, Maplewood, MN 55109
- Oakdale Library – Washington County Library
1010 Heron Avenue, Oakdale, MN 55128
- Minneapolis Central Library
300 Nicollet Mall, Minneapolis, MN 55401

Copies of the EAW are being distributed to agencies on the current MEQB list and others. The comment period will begin on **December 29, 2008**. Comments will be accepted through **January 28, 2009**.

The EAW can be made available in alternative formats to individuals with disabilities by calling Adam Josephson, Mn/DOT Project Manager at (651) 234-7719 or to individuals who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529 or (651) 296-9930 TTY.

RGU: Minnesota Department of Transportation

Contact Person:

Adam Josephson, Project Manager
Minnesota Department of Transportation, Metro District
1500 West County Road B2
Roseville, MN 55113-3174
Phone (651) 234-7719
Email: adam.josephson@dot.state.mn.us

ENVIRONMENTAL ASSESSMENT and Section 4(F) Evaluation

Project Title: City of Rochester 20th Street Connection SP 159-080-14 from County State Aid Highway 1 (11th Ave. SE) to County State Aid Highway 36 (Marion Road SE)

Description: The proposed project is a new, 1.06 mile, two-lane rural roadway with bridges over Willow and Bear Creeks and a parallel recreational trail. Twentieth Street SE will be extended from 11th Avenue SE to Marion Road SE to improve roadway connectivity and safety and to address roadway and operational deficiencies.

Copies of the EA and Section 4(f) Evaluation will be distributed to the EQB distribution list and other interested agencies. Copies may also be viewed at the following locations: Rochester City Hall – Public Works Department (201 4th St. SE, Room 108); the Rochester Public Library (101 2nd Street SE); and the Mn/DOT District 6 Office (Highway 52 North at 48th St. NW). Or, it can be viewed online at <http://www.rochestermn.gov/departments/publicworks/index.asp>. Comments should be directed to the contact person listed below.

The City of Rochester will hold a public hearing on Wednesday, January 7, 2009 at the National Guard Armory (1715 Marion Rd SE) from 5:00 p.m. to 7:00 p.m. The public hearing will utilize an open house format; with a formal presentation at 6:00 p.m. Comments received will become part of the official record. The public comment period will close on January 28, 2009.

RGU: City of Rochester

Contact Person:

Barbara J. Huberty
Environmental and Regulatory Affairs Coordinator
City of Rochester Public Works Department
201 4th St. SE, Rm 108
Rochester, MN 55904
Phone: 507-328-2425
Email: bhuberty@rochestermn.gov

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*.

- Blue Earth County Board of Commissioners, County State Aid Highway (CSAH) 12 Extension and CSAH 12/Trunk Highway (TH) 14 Interchange Project, November 18, 2008 (September 22, 2008).
- Mower County Board of Commissioners, Robbins Block Project, December 16, 2008 (November 3, 2008).

AUAR UPDATE AVAILABLE

Project Title: Marion Road Trunk Sanitary Project; Rochester, MN; Alternative Urban Areawide Review and Mitigation Plan Update #1 (AUAR Update #1)

Description: The City of Rochester has prepared its first update to the Alternative Urban Areawide Review and Mitigation Plan Update #1 (AUAR Update #1).

Copies of the AUAR Update #1 will be distributed to the EQB distribution list and other interested agencies. Copies may also be viewed at the Rochester City Hall – Public Works Department (201 4th St. SE, Room 108) and the Rochester Public Library (101 2nd Street SE). A copy of the AUAR Update #1 is also posted on-line along with the original AUAR documents at <http://www.rochestermn.gov/departments/publicworks/auar/index.asp>. Comments should be directed to the contact person listed below. Comments received will become part of the official record. The public comment period will close on January 28th 2009.

City staff will be available to answer questions about the AUAR Update #1 at the 20th St. SE Connection Project public hearing, being held on Wednesday, January 7, 2009 at the National Guard Armory (1715 Marion Rd. SE) from 5:00 p.m. to 7:00 p.m. The public hearing will utilize an open house format, with a formal presentation about the road project at 6:00 p.m.

RGU: City of Rochester

Contact Person:

Barbara J. Huberty
Environmental and Regulatory Affairs Coordinator
City of Rochester Public Works Department
201 4th St. SE, RM 108
Rochester, MN 55904
Phone: 507-328-2425
Email: bhuberty@rochestermn.gov

FINAL AUAR ADOPTED

RESOLUTION ADOPTING THE FINAL AUAR FOR THE SOUTH END OF LAKE BEMIDJI AND THE PROPOSED EVENTS CENTER DEVELOPMENT

THEREFORE BE IT RESOLVED that the JPB hereby adopts the final AUAR document, dated 02 October 2008 for implementation concerning any development of the undeveloped South Shore of Lake Bemidji into the future.

BE IT FINALLY RESOLVED, that the Planning Administrator is hereby authorized and directed to:

1. Place the final AUAR and this resolution into the permanent documents file of the JPB and
2. Incorporate mitigation strategies contained within the AUAR into all development proposals for the Lake Bemidji South Shore Development Area in the future and
3. Prepare for the review of the AUAR in five years.

Adopted this 12th day of November, 2008.

NOTICES

Transgenic Herbicide Tolerant Soybean - 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 soybean line, designated as transformation event 356043, which has been genetically engineered for tolerance to glyphosate and acetolactate synthase-inhibiting herbicides. This soybean line contains the stably integrated genes, *gat4601*, derived from *Bacillus licheniformis*, a common soil bacterium, and *gm-hra*, which is a modified soybean gene. The soybean 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 soybean line without further regulation. For additional information contact Mary Hanks, Minnesota Department of Agriculture, 651/201-6277, mary.hanks@state.mn.us

EQB Monitor Publication Calendar for 2009

Volume Number	Deadline for Submission	Publication Date	EAW Comment Deadline
32-26	December 22, 2008	December 29, 2008	January 28, 2009
33-1	January 5	January 12	February 11
33-2	January 16 (Friday)	January 26	February 25
33-3	February 2	February 9	March 11
33-4	February 13 (Friday)	February 23	March 25
33-5	March 2	March 9	April 8
33-6	March 16	March 23	April 22
33-7	March 30	April 6	May 6
33-8	April 13	April 20	May 20
33-9	April 27	May 4	June 3
33-10	May 11	May 18	June 17
33-11	May 22 (Friday)	June 1	July 1
33-12	June 8	June 15	July 15
33-13	June 22	June 29	July 29
33-14	July 6	July 13	August 12
33-15	July 20	July 27	August 26
33-16	August 3	August 10	September 9
33-17	August 17	August 24	September 23
33-18	August 31	September 7	October 7
33-19	September 14	September 21	October 21
33-20	September 28	October 5	November 4
33-21	October 12	October 19	November 18
33-22	October 26	November 2	December 2
33-23	November 9	November 16	December 16
33-24	November 23	November 30	December 30
33-25	December 7	December 14	January 13, 2010
33-26	December 21	December 28	January 27, 2010