



# Environmental Quality Board

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## Environmental Assessment Worksheet

Comment Deadline: April 15, 2015

## Project Title: Little McDonald Lake – Proposed Outlet Discharge into Otter Tail River

**Project Description:** Water levels in Little McDonald, Kerbs, and Paul Lakes have risen considerably in recent years causing considerable flood damage to homes and infrastructure and severe bank erosion. The LMKP Lake Improvement District proposes to construct a water collection system with an outlet to the Otter Tail River to alleviate these problems.

**RGU:** Otter Tail County

**Contact Person:** Bill Kalar, Land & Resource Director  
Otter Tail County  
540 West Fir Avenue  
Fergus Falls, MN 56537  
218-998-8095  
Fax: 218-998-8112  
[bkalar@co.ottertail.mn.us](mailto:bkalar@co.ottertail.mn.us)

## Project Title: Canisteo Mine Pit Temporary Dewatering

**Project Description:** Mag Mining, LLC (Mag), proposes to engage in temporary dewatering activities of the Canisteo Mine Pit Complex (CMP) to safely isolate the Buckeye Pit, located on the west end of the CMP. Once isolated, Mag would conduct exploratory drilling, laboratory testing and bulk sampling to determine if the iron reserves within the Buckeye Pit are suitable for Magnetation's iron oxide beneficiation operations.

The Minnesota Department of Natural Resources (DNR) will accept written comments on the Environmental Assessment Worksheet during the public review and comment period, which concludes Wednesday, April 15, 2015, at 4:30 p.m.

Written comments should be submitted to Cynthia Warzecha, EAW Project Manager, Environmental Policy and Review Unit, Division of Ecological and Water Resources, Department of Natural Resources, 500 Lafayette Road, St. Paul, MN, 55155-4025. Electronic or e-mail comments may be sent to [Environmentalrev.dnr@state.mn.us](mailto:Environmentalrev.dnr@state.mn.us) with "Canisteo EAW" in the subject line. If submitting comments electronically, include name and mailing address. Written comments may also be sent by fax to (651) 296-1811.

A copy of the EAW is available for public review at:

- DNR Library, 500 Lafayette Road, St. Paul, MN 55155
- DNR Northeast Regional Office, 1201 East Hwy 2, Grand Rapids, MN 55744
- Hennepin Co.- Minneapolis Central Library, Government Documents, 2nd Floor, 300 Nicollet Mall, Minneapolis, MN 55401-1992
- Duluth Public Library, 520 West Superior St. Duluth, MN 55802
- Coleraine Public Library, 203 Cole Avenue, Coleraine, MN 55722
- Bovey Public Library, 402 2nd Street, Bovey, MN 55709

The EAW is also posted on the DNR's website at <http://www.dnr.state.mn.us/input/environmentalreview/canisteo/index.html>.

Additional copies may be requested by calling 651-259-5078.

**RGU:** Minnesota Department of Natural Resources

**Contact Person:** Cynthia Warzecha, Project Manager  
Environmental Policy and Review Unit  
Division of Ecological and Water Resources  
Department of Natural Resources  
500 Lafayette Rd  
St. Paul, MN 55155-4025  
[environmentalrev.dnr@state.mn.us](mailto:environmentalrev.dnr@state.mn.us)  
Fax: 651-296-1811

## Project Title: Whitewater River Channel Restoration project

**Project Description:** The Minnesota Department of Natural Resources (DNR) proposes a stream restoration project in Whitewater State Park on the Middle Fork Whitewater River in Winona County. The project would restore approximately 1,800 feet of unstable channel to enhance ecological function, reduce water quality impairments, and improve aquatic habitat and public safety. Project includes repositioning approximately 700 feet of stream channel to a former alignment, restoring the stream banks, and installing a series of rock riffle structures.

The Minnesota Department of Natural Resources (DNR) will accept written comments on the Environmental Assessment Worksheet during the public review and comment period, which concludes Wednesday, April 15, 2015, at 4:30 p.m.

Written comments should be submitted to Ronald Wieland, EAW Project Manager, Environmental Policy and Review Unit, Division of Ecological and Water Resources, Department of Natural Resources, 500 Lafayette Road, St. Paul, MN, 55155-4025. Electronic or e-mail comments may be sent to [Environmentalrev.dnr@state.mn.us](mailto:Environmentalrev.dnr@state.mn.us) with "Whitewater Restoration" in the subject line. If submitting comments electronically, include name and mailing address. Written comments may also be sent by fax to (651) 296-1811.

A copy of the EAW is available for public review at:

- DNR Library, 500 Lafayette Road, St. Paul, MN 55155
- DNR Central Region Office, 1200 Warner Rd, St. Paul, MN 55106
- Hennepin Co.- Minneapolis Central Library, Government Documents, 2nd Floor, 300 Nicollet Mall, Minneapolis, MN 55401-1992
- Rochester Public Library, Reference Dept., 101 Second St. SE, Rochester, MN 55904
- St. Charles Public Library, 125 W 11th Street, St. Charles, MN 55972
- Plainview Public Library, 345 1st Ave NW, Plainview, MN 55964

The EAW is also posted on the DNR's website. The URL will be <http://www.dnr.state.mn.us/input/environmentalreview/whitewater-channel/index.html>.

Additional copies may be requested by calling (651) 259-5157.

**RGU:** Minnesota Department of Natural Resources

**Contact Person:** Ronald Wieland  
Division of Ecological and Water Resources  
Department of Natural Resources  
500 Lafayette Rd  
St. Paul, MN 55155-4025

### **EAW Need Decision**

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

- Downtown East Commons/Urban Park Project (denied)

### **EIS 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 Minneapolis, L&H Station, 12-22-14 (2-19-15)

### **EIS Preparation Notice**

**Project Title: Rochester – Twin Cities Passenger Rail Corridor Investment Plan and Tier 1 EIS (Zip Rail)**

**Project Description:** The Rochester-Twin Cities Passenger Rail Corridor Project (Zip Rail) is a proposed high-speed passenger rail connection between Rochester, Minnesota and the Minneapolis/St. Paul Metropolitan Area (Twin Cities). The project study area is located in the counties of Dakota, Dodge, Goodhue, Hennepin, Olmsted, Ramsey and Rice. Proposed termini include downtown Rochester at the south end of the approximately 100-mile corridor, with Minneapolis-St. Paul International Airport (MSP) and/or St. Paul Union Depot at the north end. With no existing direct rail connection between Rochester and the Twin Cities, the proposed corridors would predominately include new or “greenfield” rail right-of-way and/or new rail construction, located to the maximum extent practicable along or within existing public or railway right-of-way.

The Minnesota Department of Transportation (MnDOT), in cooperation with the Federal Railroad Administration (FRA) and the Olmsted County Regional Railroad Authority (OCRRA) has initiated the environmental review process for the Zip Rail Project. Federal funding may be pursued for this project from FRA. As a result, FRA, as the lead federal agency for the Project, is required to undertake environmental review in compliance with the National Environmental Policy Act (NEPA). As the local public agency sponsoring the project, MnDOT is complying with the requirements of the Minnesota Environmental Policy Act (MEPA). The FRA, MnDOT and OCRRA have determined that the Zip Rail Project may have significant environmental impacts. To satisfy both federal and state requirements, a Tiered Environmental Impact Statement (EIS) is being prepared for the Zip Rail Project. More specifically, MnDOT, FRA and OCRRA are initiating Tier 1 of a two-tiered EIS process.

A Final Scoping Decision Document (FSDD) for the Zip Rail Project was published in the January 19, 2015 Environmental Quality Board (EQB) Monitor and distributed to the EQB distribution list and other interested parties. The FSDD describes the purpose of and need for the proposed action; the development and evaluation of corridor alternatives; the identification of the No-Build Alternative and eight end-point to end-point mile-wide corridors, the potential social, economic, and environmental impacts and discussion of the methodology that will be used to address each issue in the Tier 1 EIS. It also responded to comments received during the scoping comment period that was open from July 7 to August 22, 2014.

Based on the public and agency input gathered during the scoping process and the technical analyses conducted to date, MnDOT has determined that the No-Build Alternative and eight end-point to end-point corridors will be evaluated in the Tier 1 EIS:

- No-Build Alternative
- Eight End-point to End-point Corridors:
  - o Corridor 1: MSP to Downtown Rochester via Dakota County Road 71, US 52, then MN 56 and United States Route (US) 14
  - o Corridor 2: MSP to Downtown Rochester via Dakota County Road 71, then south and east via the US 52 right-of-way and areas adjacent to the west
  - o Corridor 3: Union Depot to Rochester parallel to the Mississippi River with an intermediate stop near MSP; via Dakota County Road 71, US 52, then MN 56 and US 14
  - o Corridor 4: Union Depot to Rochester parallel to the Mississippi River with an intermediate stop near MSP; via Dakota County Road 71, then south and east via US 52 right-of-way and areas adjacent to the west
  - o Corridor 5: Union Depot to Downtown Rochester via the Union Pacific Railroad (UP) corridor, crossing near Robert Street, then US 52, MN 56 and US 14
  - o Corridor 6: Union Depot to Downtown Rochester via UP, crossing near Robert Street, then south and east via US 52 right-of-way and areas adjacent to the west
  - o Corridor 7: Union Depot to Downtown Rochester via the Burlington Northern Santa Fe (BNSF) Railway/Canadian Pacific Railway (CP) corridor, crossing near Interstate-494 to the UP corridor; then US 52, MN 56 and US 14
  - o Corridor 8: Union Depot to Downtown Rochester via BNSF/CP, crossing near I-494; then south and east via US 52 right-of-way and areas adjacent to the west

The EIS Preparation Notice will be distributed to the EQB distribution list and posted on the Zip Rail website at: [www.goziprail.org](http://www.goziprail.org). A press release will be provided to at least one newspaper of general circulation within each county where the project will occur.

**RGU:** Minnesota Department of Transportation

**Contact Person:** Dan Krom  
Director – Passenger Rail Office  
Minnesota Department of Transportation  
395 John Ireland Boulevard, MS 480  
St. Paul, MN 55155  
Phone: (651)366-3193  
Email: [info@goziprail.org](mailto:info@goziprail.org)

## AUAR Update

Comment Deadline: March 27, 2015

## Project Title: Greater East Mankato Infill Service District

**Project Description:** The City of Mankato is updating the Greater East Mankato Infill Service District AUAR located south of US Hwy 14 and east of TH 22 in Sections 10,11 14 15, 21, 22, and 23, (T108N, R26W), Blue Earth County, Minnesota. The site has seen development which has been within the review assumptions and mitigation of the original AUAR completed in 2007. The AUAR study area includes approximately 2,100 acres of mix of residential, commercial, and public land use and the required public infrastructure extensions including water, sanitary sewer, roads, and stormwater systems.

Minn. R. § 4410.3610, subp. 7 indicates that state agencies have ten (10) working days from the receipt of the AUAR Update to file an objection to the updated analysis. Any objections should be sent to the contact person below.

**RGU:** City of Mankato

**Contact Person:** Paul Vogel, Community Development Director  
City of Mankato  
10 Civic Center Plaza  
Mankato, MN 56001  
507-387-8613  
[pvogel@city.mankato.mn.us](mailto:pvogel@city.mankato.mn.us)

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## Draft AUAR

Comment Deadline: April 15, 2015

## Project Title: O'Donnell-Labeaux AUAR

**Project Description:** The City of St. Michael has completed an AUAR that reviews development of approximately 78 acres for up to 130 single family homes in the southeast portion of the City on the east side of Gonz Lake. The site is at 2381 LaBeaux Ave NE. The development will involve the installation of municipal utilities and apply best management practices to protect water resources. The proposed use is supported by the City's Comprehensive Plan. The scoping process and comment period did not identify additional scenarios for study, so the single

scenario studied by this AUAR focused on the City and Developer's shared vision for the land. Copies of the AUAR are being distributed to agencies on the most current Minnesota Environmental Quality Board distribution list. The AUAR may also be accessed electronically on the City of St. Michael's website.

**RGU:** City of St. Michael

**Contact Person:** Marc Weigle  
City of St. Michael  
11800 Town Center Dr NE  
St. Michael, MN 55376  
763-416-7932  
[mweigle@ci.st-michael.mn.us](mailto:mweigle@ci.st-michael.mn.us)

## Notices

Comment Deadline: April 15, 2015

# **Project Title: Dredged Material Placement in Support of Aquatic Habitat Restoration, 21st Avenue West, 40th Avenue West, and Grassy Point, St Louis River Area of Concern, Duluth, Minnesota**

**Project Description:** The U.S. Army Corps of Engineers (USACE), Detroit District, has prepared a Federal- Environmental Assessment (EA) addressing proposed placement of suitable dredged material from Duluth-Superior Harbor into State-specified open-water locations at 21st Avenue West, 40th Avenue West, and Grassy Point to reduce water depths as a base for State-proposed habitat features. The Federal EA can be viewed at:

<http://www.lre.usace.army.mil/Missions/EnvironmentalServices/EnvironmentalPublicNotices.aspx>

The public comment period for the Federal-EA is open and has been extended through April 15, 2015. Comments can be sent to Charles A. Uhlarik, Chief, Environmental Analysis Branch, U.S. Army Corps of Engineers, Detroit District, 477 Michigan Avenue, Detroit, Michigan, 48226-2550 or by e-mail to [DuluthEAComments2015@usace.army.mil](mailto:DuluthEAComments2015@usace.army.mil)

The State of Minnesota will manage these three sites for aquatic habitat development in concert with the beneficial use impairment delisting goals of the approved St. Louis River Area of Concern Remedial Action Plan. Each site will be addressed in greater detail in subsequent State-Environmental Assessment Worksheets (EAWs) following public review of the USACE EA. All three State-EAWs will be placed on public notice at a future date with 30-day public comment periods each.

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# Minnesota Department of Natural Resources

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 prehearing conference will be held on Thursday, May 7, 2015, at 9:30 a.m., at the Office of Administrative Hearings, located at Harold E. Stassen Office Building, State Capitol Complex, 600 North Robert Street, St. Paul, Minnesota, 55101.

#### **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 MGY. 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 Kimberly Middendorf, Minnesota Attorney General's Office, 445 Minnesota Street, Ste. 1800, St. Paul, Minnesota 55101, phone (651) 757-1279.

Dated this 4th day of March, 2015.

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)
15-NO-018	Syngenta	corn	Herbicide tolerant	Dakota, Faribault, Goodhue, Mower(2), Rice(2) Waseca
15-NO-019	Syngenta	corn	Herbicide tolerant, insect resistant	Dakota, Faribault, Goodhue, Mower(2), Rice(2) Waseca
15-NO-020	Syngenta	corn	Insect resistant, herbicide tolerant	Dakota, Faribault, Goodhue, Mower(2), Rice(2) Waseca
15-NO-021	Syngenta	corn	Agronomic Properties	Dakota, Faribault, Goodhue, Mower(2), Rice(2) Waseca
15-NO-022	Syngenta	corn	Agronomic Properties	Dakota, Faribault, Goodhue, Mower(2), Rice(2) Waseca
15-NO-023	Syngenta	corn	Agronomic Properties	Dakota, Faribault, Goodhue, Mower(2), Rice(2) Waseca
15-NO-024	Syngenta	corn	Agronomic Properties	Dakota, Faribault, Goodhue, Mower(2), Rice(2) Waseca
15-NO-025	Syngenta	corn	Agronomic Properties	Dakota, Faribault, Goodhue, Mower(2), Rice(2) Waseca
15-NO-026	<u>BetaSeed</u>	wheat	Product Quality	Clay(2), Dakota
15-NO-027	<u>BetaSeed</u>	<u>Sugarbeet</u>	Product Quality	Dakota, Scott
15-NO-028	<u>BetaSeed</u>	<u>Sugarbeet</u>	Product Quality	Clay(5), Dakota, Goodhue, Scott, Wilkin(2)
15-NO-029	<u>Bayer CropScience</u>	corn	Insect resistant, herbicide tolerant	Clay
15-NO-030	Syngenta	corn	Agronomic Properties	Dakota, Faribault, Goodhue, Mower(2), Rice(2) Waseca
15-NO-031	<u>BetaSeed</u>	wheat	Fungus Resistant	Clay(2), Dakota, Goodhue, Scott
15-NO-032	<u>BetaSeed</u>	potato	Fungus Resistant	Clay(2), Dakota(2), Goodhue, Scott

For additional information contact Dr. Steve Malone, MN Department of Agriculture, 625 Robert St N., St. Paul, MN 55155, 651-201-66531, [stephen.malone@state.mn.us](mailto:stephen.malone@state.mn.us)