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# EQB MONITOR

## ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: February 11, 2009

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

### Notice of Hearing on Proposed Amendment to Rules Governing the Environmental Review Program

*(Editor's note: The following Notice is an edited version of the official Notice of Hearing that will be published in the State Register on January 20, 2009.)*

The Environmental Quality Board (EQB) intends to adopt amendments to the rules governing the Environmental Review Program after holding a public hearing according to state rulemaking procedures. The EQB will hold a public hearing on the proposed amendments at the following times and places:

- Wednesday, February 25, 2009, at the Alexandria Technical College, Room 208, 1601 Jefferson on Street, Alexandria, MN; one session beginning at 2:00 p.m. and a second beginning at 7:00 p.m.
- Thursday, February 26, 2009, at the Fort Snelling History Center Auditorium, Fort Snelling, MN at the junction of state highways 5 & 55; one session beginning at 2:00 p.m. and a second session beginning at 7:00 p.m.
- Monday, March 2, 2009, at the Hermantown Public Safety Training Facility, 5111 Maple Grove Road, Hermantown, MN; one session beginning at 2:00 p.m. and a second session beginning at 7:00 p.m.
- Wednesday, March 4, 2009, at the Bemidji Public Library, 509 America Avenue NW, Bemidji, MN; one session beginning at 2:00 p.m. and a second session beginning at 7:00 p.m.
- Thursday, March 5, 2009, Northland Arboretum, 14250 Conservation Drive, Baxter, MN; one session beginning at 2:00 p.m. and a second session beginning at 7:00 p.m.

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>

*To find out if a hearing has been postponed due to adverse weather conditions, please call the EQB contact person listed below.*

Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

The hearing will be conducted by Administrative Law Judge Steve M. Mihalchick, who can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, St. Paul, Minnesota 55164-0620, telephone 651-361-7844, and Fax 651-361-7936. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

The proposed rules would amend or add 29 subparts in Chapter 4410 regarding the Environmental Review program. These amendments consist of five topical areas:

- New mandatory EAW, EIS, and Exemption categories that would apply to certain projects located in the shoreland areas of lakes 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.

Minnesota Statutes, section 116D.04, subdivisions 2a(a), 4a, & 5a and section 116D.045 give the EQB authority adopt rules governing the Environmental Review program. One specific amendment, the creation of a mandatory EIS category for release of genetically engineered wild rice, is also authorized by *Laws of 2007*, chapter 57, article 1, section 140. A copy of the proposed rules will be published in the *State Register* on January 20, 2009. The proposed rule will also be available at the EQB website, [www.eqb.state.mn.us](http://www.eqb.state.mn.us). A free paper copy of the rules is available upon request from the agency contact person.

The agency contact person is: Gregg Downing, EQB Environmental Review Program, 300 Centennial Building, 658 Cedar Street, St. Paul, MN 55155; phone, 651-201-2476; Fax, 651-296-3698; and email [gregg.downing@state.mn.us](mailto:gregg.downing@state.mn.us). TTY users may call the Department of Administration at 800-627-3529.

A Statement of Need and Reasonableness is now available for review. This statement contains a summary of 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. The document is available for review at the EQB website ([www.eqb.state.mn.us](http://www.eqb.state.mn.us)), EQB offices and at the Office of Administrative Hearings. Copies may be obtained at the cost of reproduction by contacting the agency contact person.

You and all interested or affected persons, including representatives of associations and 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 close of the hearing record. 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. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. The proposed rules may be modified as a result of the rule hearing process. If the proposed rules affect you in any way, you are encouraged to participate.

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 when the 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 on which the agency adopts the rules and the rules are filed with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings, and can make these requests at the hearing or in writing to the agency contact person stated above.

Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. 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.

## SCOPING EAW AVAILABLE

### **Project Title: UMore Park & Sand Gravel Resources Project**

**Description:** The Regents of the University of Minnesota are proposing to open new aggregate mine(s) and ancillary operations on approximately 1,711 acres of UMore Park property. The University's UMore Park & Sand Gravel Resources Project is located both in the City of Rosemount and Empire Township, Dakota County, Minnesota. The plan is to locate the proposed mining area on the approximate western one-third of the UMore Park property.

The University of Minnesota has prepared a Scoping Environmental Assessment Worksheet (EAW) and Draft Scoping Decision Document (Draft SDD) to identify issues and analyses to be contained in the Draft Environmental Impact Statement (DEIS). The Scoping EAW and Draft SDD are preliminary documents based on information currently available. The SDD is subject to revision based on the entire record of the scoping process. Copies of the Scoping EAW and Draft SDD are available for public viewing during regular business hours at the following locations:

- Dakota County Library – Farmington Branch, 508 Third Street, Farmington, MN
- UMore Park Administration Building, 1605 160<sup>th</sup> Street, Rosemount, MN
- Rosemount City Hall, 2975 145<sup>th</sup> Street West, Rosemount, MN
- Empire Town Hall, 3385 West 197<sup>th</sup> Street, Farmington, MN

The Scoping EAW and Draft SDD are also available for review online at <http://www.umorepark.umn.edu/>.

To afford an opportunity for all interested parties, agencies and groups to comment on the proposed action, a public scoping meeting will be held on Thursday, February 5, 2009, from 6 p.m. to 8 p.m. at the Rosemount Community Center located at 13885 South Robert Trail, Rosemount Minnesota. A project presentation will be held at 6:30 p.m. Staff will be available preceding and following the presentation to provide individual assistance. Comments may be submitted in writing or verbally to a court reporter. The comments received will be considered in determining the scope of the ensuing environmental document.

Copies of the Scoping EAW/Draft SDD are being distributed to agencies on the current MEQB list and others. The comment period will begin on Monday, January 12, 2009 and will be accepted through Monday, February 16, 2009. All comments should be directed to the contact person listed below.

**RGU:** Board of Regents of the University of Minnesota

**Contact Person:**

Steve Lott  
UMore Park Project Manager  
1605 West 160<sup>th</sup> Street  
Rosemount, Minnesota 55068  
651-423-1491

## ENVIRONMENTAL ASSESSMENT WORKSHEETS

**Project Title: Zavoral Property Mining and Reclamation**

**Description:** The proposed Zavoral Property Mining and Reclamation project is the mining and reclamation of a dormant, un-reclaimed gravel mine. The operation is proposed to include extraction, crushing, washing, stockpiling, hauling, and reclamation operations.

The project area is approximately 64 acres, located on a parcel of property which encompasses 114 acres. The project area is located east of Highway 95 (St. Croix Trail), at the intersection of Highway 95 and Highway 97 (Scandia Trail).

A copy of the EAW is available for review at the City of Scandia office, Scandia Community and Senior Center, 14727 209<sup>th</sup> Street North, Scandia. City office hours are posted on the City's website <http://ci.scandia.mn.us/>, or the City may be contacted at (651) 433-2274. Copies of the EAW are also available for review at Washington County Library Hardwood Creek Branch and Marine Branch.

Written comments will be accepted through February 11, 2009. Comments should be directed to Anne Hurlburt, City Administrator, City of Scandia, 14727 209<sup>th</sup> Street North, Scandia, MN 55073.

**RGU:** City of Scandia

**Contact Person:**

Sherri Buss  
TKDA  
444 Cedar Street

St. Paul, MN 55101  
Phone: 651-292-4582  
Email: [sherri.buss@tkda.com](mailto:sherri.buss@tkda.com)

**Project Title: Hustad Mixed Use Development – Maple Grove, MN**

**Description:** United Properties and Trek Development propose to develop a 130 acre site for a mixed-use development project consisting of approximately 293,000 square feet of commercial and office uses and 460 attached and unattached residential units. The project is located in western Maple Grove, MN

**RGU:** City of Maple Grove

**Contact Person:**

Peter Vickerman  
City of Maple Grove  
12800 Arbor Lakes Parkway  
P.O. Box 1180  
Maple Grove, MN 55369  
Phone: 763-494-6046  
Fax: 763-494-6425  
Email: [pvickerman@ci.maple-grove.mn.us](mailto:pvickerman@ci.maple-grove.mn.us)

## 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 55 from Interstate 494 to the Crow River, December 12, 2008 (April 7, 2008)
- Greenwood Township, The Waters of Vermillion, December 15, 2008 (November 3, 2008)
- Grand Rapids City Council, Menards Store in Grand Rapids, December 17, 2008 (November 3, 2008)
- Minnesota Pollution Control Agency, Randy Hein Swine Facility, December 24, 2008 (October 6, 2008)

## SCOPING DOCUMENT and DRAFT SCOPING DECISION DOCUMENT AVAILABLE

The Scoping Document and Draft Scoping Decision Document (SD/DSDD) for the proposed roadway connection between the Cities of Hoyt Lakes and Babbitt is available. The purpose of the project is to improve connectivity and mobility across the broader East Iron Range Region. The project is located in St. Louis County, Minnesota. The SD/DSDD recommends which alternatives should be carried forward for further

review in the Environmental Assessment (EA) or Environmental Impact Statement (EIS) and the degree of additional study needed to assess potential social, economic, and environmental impacts.

Copies of the Hoyt Lakes – Babbitt Connection Project SD/DSDD are being distributed to those agencies on the current MEQB document review list and others. The comment period will begin **January 12, 2009** and will extend through **February 11, 2009**. Copies of the Hoyt Lakes – Babbitt Connection Project SD/DSDD have been made available for public review and are also located on the project website at [www.hoytlakestobabbitt.com](http://www.hoytlakestobabbitt.com). Local units of government and libraries that receive the document are asked to make it available for public review. All comments should be directed to:

Peter R. Eakman, P.E.  
Project Manager  
St. Louis County Public Works Dept.  
4787 Midway Road  
Duluth, MN 55811  
Phone: 218.625.3841  
[eakmanp@co.st-louis.mn.us](mailto:eakmanp@co.st-louis.mn.us)

To afford an opportunity for all interested persons, agencies, and groups to comment on the project, two public open houses meeting will be held. The open houses will include the same content and follow the same format. The first open house will be held on **Wednesday, January 28, 2009 at the Hoyt Lakes Community Center** located at 101 Kennedy Memorial Drive in Hoyt Lakes, MN. The second open house will be held on **Thursday, January 29, 2009 at the Babbitt City Hall** at 71 South Drive in Babbitt, MN.

The open houses will be held from **6:00 p.m. to 8:00 p.m.** with a brief presentation starting at 6:15 p.m. Copies of the Hoyt Lakes – Babbitt Connection Project SD/DSDD will be available for review and project representatives will be present to answer questions during the open house.

The Hoyt Lakes – Babbitt Connection Project SD/DSDD can be made available in alternative formats to individuals with disabilities by calling the Project Manager at (218) 625-3841 or to individuals who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529. Individuals with a disability who need a reasonable accommodation to participate in the public meeting should contact the Project Manager at least five days before the public meeting or through the Minnesota Relay Service at (800) 627-3529.

## NOTICES

### State of Minnesota Office of Energy Security

Issued: January 5, 2009

### NOTICE OF PUBLIC INFORMATION MEETING

**In the Matter of the Certificate of Need and Route Permit Applications for a 161 kV Transmission Line and Associated Facilities in Jackson County, Minnesota.**

**PUC Docket Numbers: IP-6686/CN-08-944 and IP-6686/TL-08-1120**

**PLEASE TAKE NOTICE** that the Minnesota Department of Commerce Office of Energy Security (OES) will conduct a public information and environmental assessment scoping meeting on the certificate of need and route permit applications by Northstar Transmission, LLC (Northstar) to the Minnesota Public Utilities Commission (PUC or Commission) for the proposed 161 kilovolt (kV) transmission line and associated facilities in Jackson County, Minnesota. The purpose of the meeting is to provide information to the public about the project and to identify issues and alternatives to study in an environmental assessment that will be prepared by the OES Energy Facility Permitting (EFP) staff.

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**PUBLIC INFORMATION MEETING**  
**Thursday, January 29, 2009 - 6:00 P.M.**  
**AmericInn of Jackson**  
**110 Belmont Lane**  
**Jackson, Minnesota 56143**

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The public information meeting will follow an open house format until 6:30 P.M., when PUC and EFP staff will give presentations about the certificate of need and high voltage transmission line alternative permitting process, the proposed project, and how the public may be involved.

The applicant will have representatives at the public meeting who can answer general questions about the proposed project. Review copies of the certificate of need and route permit applications, a flow chart depicting the certificate of need and permitting processes, and comment forms will be available at the public information meeting.

**Project Description.** Northstar is proposing to construct a 10-mile 161 kV transmission line, a substation in Petersburg Township, and a switching station east of the city of Jackson, Minnesota. The transmission line would originate at a newly constructed substation (Tatman substation) located approximately one half mile north of the Minnesota-Iowa border in Petersburg Township.

The transmission line route would proceed north out of the Tatman substation along County Highway (CH) 25/560<sup>th</sup> Avenue for approximately five and one half miles to 558<sup>th</sup> Avenue and continue north two miles to CH 14 traveling one-quarter mile east. At this point the transmission line route would veer slightly north-northwest traveling across private agricultural land along property and section lines to a newly proposed switching station (see attached Figure).

The applicant indicates they have coordinated with private land owners, township and county officials and representatives of the REA Coop of Jackson County to minimize land use impacts. The proposed project would therefore, not result in displacement of existing residences or businesses.

**Review Process.** A certificate of need application and a route permit application for the project were filed by Northstar on October 28, 2008. The applications were accepted as complete by the Commission. The certificate of need and route permit applications will be reviewed jointly and an environmental assessment (EA) will be prepared in lieu of the environmental report required under Minnesota Rule 7849.7030.

EFP staff will prepare an EA prior to the Commission's determination of the need for the project and consideration of a specific route for the transmission line. The EA will consider issues related to both the need for the project such as size, type, timing, voltage, and system configurations and issues related to routing, including construction impacts, environmental features, use of existing rights-of-way, and impacts to homes and businesses.

The PUC will hold a public hearing upon completion of the environmental assessment. The public will be afforded the opportunity to make oral presentation, present documentary evidence, and ask questions of the applicants and staff. Notice of the hearing will be published in local newspapers and mailed to persons who register their names on the project mailing list. A portion of the public hearing will be held in the counties where the proposed project would be located.

Minnesota statutes and rules governing the processes are available on the following website: <http://energyfacilities.puc.state.mn.us/TransmissionLines.html>.

**Project Documents.** A more detailed explanation of the proposed project is contained in the Northstar certificate of need and route permit applications. Electronic versions of the applications and other documents relevant to this matter are available on the PUC website or eDockets at:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19789>

or

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

(enter Docket Number 08-1120 [route permit] or 08-944 [CN]).

Persons interested in adding their names to the Department of Commerce project mailing list should contact the EFP project manager, public advisor, or register online at:

[http://energyfacilities.puc.state.mn.us/Users/user\\_registration.htm](http://energyfacilities.puc.state.mn.us/Users/user_registration.htm).

The PUC maintains a separate official service list for certificate of need proceedings. To be added to the list for this project contact: Robin Benson, Minnesota Public Utilities Commission, 121 7<sup>th</sup> Place East, Suite 350, St. Paul, MN 55101-2147, fax: (651)-297-7073, email: [robin.benson@state.mn.us](mailto:robin.benson@state.mn.us). The list is public information, and persons on the list will receive all official documents related to the case.

**Public Comments.** Comments on the scope of the EA for this project will be accepted until 4:30 P.M., February 12, 2009. Please include Docket Number IP-6686/CN-08-944 and/or IP-6686/TL-08-1120 on your comments.

**Project Contacts.** To submit comments, ask questions, or seek further information about this project please contact:

#### Department of Commerce

Scott Ek, Project Manager  
Energy Facility Permitting  
Minnesota Office of Energy Security  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198  
Phone: 651-296-8813  
Email: [scott.ek@state.mn.us](mailto:scott.ek@state.mn.us)

Deborah Pile, Public Advisor  
Energy Facility Permitting  
Minnesota Office of Energy Security  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198  
Phone: 651-297-2375  
Email: [deborah.pile@state.mn.us](mailto:deborah.pile@state.mn.us)

#### Public Utilities Commission

Tricia DeBleekere  
Minnesota Public Utilities Commission



121 7th Place East, Suite 350  
St. Paul, MN 55101-2147  
Phone: 651-201-2254  
Email: [tricia.debleeckere@state.mn.us](mailto:tricia.debleeckere@state.mn.us)

This document can be made available in alternative formats (i.e., large print or audio tape) by calling 651-201-2202 (Voice) or 1-800-627-3529 (TTY relay service).

## Office of Energy Security

### NOTICE OF PUBLIC HEARING AND AVAILABILITY OF ENVIRONMENTAL ASSESSMENT

**In the Matter of the Route Permit Application for the Southdale to Scearcyville 115 kV Transmission Line and  
Breaker Station**

**PUC Docket No. ET2/TL-08-712**

**PLEASE TAKE NOTICE** that the Minnesota Department of Commerce Office of Energy Security (OES) will hold a public hearing on behalf of the Minnesota Public Utilities Commission (PUC or Commission) on the route permit application by Great River Energy and Minnesota Power to construct a new 115 kV transmission line and breaker station in Cass and Crow Wing counties, Minnesota.

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**Thursday, January 22, 2009 - 6:00 P.M.**  
**Cragun's Conference Center**  
**Shoreline Meeting Room**  
**1000 Craguns Drive**  
**Brainerd, Minnesota 56401**

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**Project Description.** The applicants propose to construct 9.3 miles of new 115 kV transmission line and build a new breaker station (Scearcyville Breaker Station). The proposed project would extend from the west side of Baxter to the north end of Sylvan Township and would parallel existing utility and county/state highway rights-of-way for approximately 95 percent of the project (see attached Figure).

**Environmental Assessment.** OES has completed an environmental assessment (EA) on the proposed project. The EA addresses the potential human and environmental impacts of the proposed project and evaluates six alternative route segments. Electronic versions of the EA including maps of the six alternative routes and other documents relevant to this matter are available for viewing and download on the PUC website or eDockets at:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19661>

or

<https://www.edockets.state.mn.us/EFiling/search.jsp> (enter Docket Number 08-712).

**Conduct of Hearing.** The public hearing will be conducted in accordance with the requirements of the Power Plant Siting Act, Minnesota Statutes 216E.04, and Minnesota Rule 7849.5710. The Honorable Steve Mihalchick, Administrative Law Judge will preside over the hearing.

OES staff will be present at the hearing and make a brief presentation about the project and introduce into the record a number of documents relating to the project. Representatives of the applicants (Great River Energy and Minnesota Power) will be present to offer evidence and to answer questions. Members of the public will have an opportunity to ask questions of OES staff and the applicants, to make statements, and to offer written comments and material into the record.

The record will remain open until **4:30 P.M., Friday, February 6, 2009**, for interested persons to submit written comments to the Administrative Law Judge. Comments must be submitted directly to Judge Mihalchick:

The Honorable Steve Mihalchick  
Office of Administrative Hearings  
P.O. Box 64620  
St. Paul, Minnesota 55164-0620  
Steve.Mihalchick@state.mn.us

The Administrative Law Judge will provide OES staff a written summary of testimony given at the hearing. The Commission will make a final decision on the route permit application after receipt of the complete record.

**Additional Information.** For more information about the process, the project, or to place your name on the project mailing list, please contact:

Scott Ek, Project Manager  
Energy Facility Permitting  
Office of Energy Security  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198  
(651) 296-8813  
scott.ek@state.mn.us

Deborah Pile, Public Advisor  
Energy Facility Permitting  
Office of Energy Security  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198  
(651) 297-2375  
deborah.pile@state.mn.us

**Mailing List.** Any person may add his or her name to the mailing list maintained by OES for future mailings regarding this project. If you would like to receive notice of the Commission's final decision in this matter please add your name to the mailing list. Names can be added to the list by contacting the project manager or by registering on [the](http://energyfacilities.puc.state.mn.us/Docket.html?Id=19661) PUC website at: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=19661>.

**EQB Monitor Publication Calendar for 2009**

<b>Volume Number</b>	<b>Deadline for Submission</b>	<b>Publication Date</b>	<b>EAW Comment Deadline</b>
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
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33-25	December 7	December 14	January 13, 2010
33-26	December 21	December 28	January 27, 2010