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EQB MONITOR

ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: December 5, 2007

Project Title: Newalta Dairy, LLC

Description: Newalta Dairy, LLC, is proposing an expansion to the existing 660-head facility in Section 34 of Gray Township in Pipestone County, Minnesota. The expansion will consist of one 396-foot long by 103-foot wide freestall barn, two 468-foot long by 103-foot wide freestall barns, one 384-foot long by 103-foot wide special needs building, and one 750-foot long by 375-foot wide by 12-foot deep earthen basin. The total animal units will be 3,342. In addition to the Environmental Assessment Worksheet (EAW), the draft National Pollution Discharge Elimination System/State Disposal System (NPDES/SDS) permit will also be available for public comment concurrently, beginning November 5, 2007. The contact person for the NPDES/SDS permit is George Schwint at 320-214-3793.

A copy of the Environmental Assessment Worksheet will be posted on the Minnesota Pollution Control Agency Website at the following: <http://www.pca.state.mn.us/news/eaw/index.html>.

RGU: Minnesota Pollution Control Agency

Contact Person:

Dana Vanderbosch, Planner Principal
Environmental Review and Operations Section
Regional Division
Minnesota Pollution Control Agency
520 Lafayette Road No.
St. Paul, MN 55155-4194
651-297-1796

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: Minnesota Trunk Highway/US 52 project

Description: The Minnesota Department of Transportation is proposing to limit vehicle access on Minnesota Trunk Highway /US 52 in Inver Grove Heights, Dakota County. This will be accomplished by eliminating several intersections and constructing a new frontage road along the east side of TH 52 from Inver Grove Trail to 111th Street

Copies of the Environmental Assessment Worksheet are available for public viewing during regular business hours at the following locations:

Minnesota Department of Transportation, Metro District 1500 West County Road B2, Roseville, MN

Minnesota Department of Transportation Library, 395 John Ireland Boulevard, Saint Paul, MN.

Inver Glen Library, 8098 Blaine Avenue, Inver Grove Heights, MN 55076

Minneapolis Public Library, 250 Marquette Avenue, Minneapolis, MN

Copies of the EAW are being distributed to agencies on the current MEQB list and others. The EAW is available via the internet at www.dot.state.mn.us/metro/projects/hwy52. The comment period will begin on November 5, 2007. Comments will be accepted through December 5, 2007.

RGU: Minnesota Department of Transportation

Contact Person

Ed Boytim, Project Manager
Minnesota Department of Transportation
Metro District
1500 West County Road B2
Roseville, MN 55113
651/234-7618
Edward.boytim@dot.state.mn.us

Project Title: Annandale Rock Products gravel mine, Southside Twp., Wright County, MN

Description: The proposed project is a gravel mining operation in South Side Township in northwestern Wright County. The proposal is to mine up to 91.3 acres of the 159.6 acre site. Mined aggregate is proposed to be moved by conveyor east to an existing site for further processing.

RGU: Wright County

Contact Person:

Bill Stephens, Environmental Health Officer
10 2nd St. NW
Buffalo, MN 55313-1183
Phone: 763-682-7331
Fax: 763-682-7872
Bill.stephens@co.wright.mn.us

Project Title: CSAH 34/26th Street/North Beltline

Description: EA/EAW for the Steele County North Beltline. The preferred alternative consists of reconstructing 26th Street NE to a 10-ton, four-lane, urban roadway connecting Cedar Avenue and Kenyon Road on the north side of Owatonna.

The 30-day comment period will begin on November 5, 2007 and end on December 5, 2007. A Public Hearing will be held at 7:15pm on November 13, 2007 at the Steele County Boardroom located at 630 Florence Avenue, Owatonna, Minnesota.

Copies of the Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) have been sent to agencies listed on the current MEQB distribution list. The EA/EAW will be available for viewing at the following locations:

Steele County Highway Department
Steele County Annex
635 Florence Avenue
Owatonna, MN 55060

Owatonna Public Library
105 North Elm Avenue
Owatonna, MN 55060

RGU: Steele County

Contact:

Gary Bruggeman - Steele County Engineer
Steele County Annex
635 Florence Avenue
PO Box 890
Owatonna, MN 55060
Phone: (507) 444-7670
Fax: (507) 444-7684
gary.bruggeman@co.steele.mn.us

PETITION FILED

The following petitions have been filed with the EQB requesting preparation of an EAW. The EQB has assigned the indicated unit of government to review the petition and decide on the need for an EAW.

- Stearns County for culvert project in Collegeville Township

EAW NEED DECISIONS

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

- City of Burnsville, Burnsville Performing Arts Center. Exempt.

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 Pollution Control Agency Citizens' Board, APEC Ethanol Production Facility, October 23, 2007 (July 30, 2007)
- Wright County Board of Commissioners, Scherber Companies, October 16, 2007 (August 27, 2007)

EIS PREPARATION NOTICE

Concrete Products of New London, Inc. proposes to expand its current 39-acre mining operation onto a portion of the adjacent 248 acres of land over the next 30 years.

On October 16, 2007, the Kandiyohi County Board of Commissioners, as the Responsible Government Unit (RGU), approved the Final Scoping Decision Document (FSDD) for the Concrete Products of New London Environmental Impact Statement (EIS). This approval followed the EIS scoping process according to the environmental review rules established by the Minnesota Environmental Quality Board (EQB).

A notice was published in the August 27, 2007 issue of the EQB Monitor informing the public of the availability of the Scoping EAW and the Draft Scoping Decision Document (DSDD). A public meeting was held on September 18, 2007 at the County Health and Human Services Building in the Commissioners Room. The comment period ran through September 26, 2007 with comments being received from the MDA, DNR, MPCA, and the Middle Fork Crow River Watershed District (MFCRWD).

The FSDD defines the subjects that will be evaluated in greater detail in the EIS. These subjects include developing reclamation criteria, impacts to wetlands, and potential groundwater impacts.

RGU: Kandiyohi County

Contact:

Gary Geer, Zoning Administrator
400 SW Benson Ave.
Willmar, MN 56201
320-231-6229
Gary_g@co.kandiyohi.mn.us

DRAFT AUAR AVAILABLE

Project Title: Elk Run

Description: The potential environmental impacts of planned and anticipated development on the south side of Pine Island, Minnesota are assessed in an Alternative Urban Areawide Review (AUAR). The AUAR analyzes the potential development of over 5,150 acres through the year 2025. Included in this future development is a master planned development known as Elk Run, which encompasses over 2,300 acres within the AUAR study area. Elk Run will be a mixed-use development consisting of single and multi-family residences, office, retail, industrial/warehouse, commercial, educational, and recreational uses, located along US Highway 52 adjacent to the city of Pine Island, Minnesota and subject to an orderly annexation agreement.

Public Review: Copies of the AUAR will be distributed to the EQB distribution list and other interested agencies. The AUAR can be viewed at the following locations beginning November 5:

Pine Island City Hall
250 So. Main St.

Van Horn Public Library
115 SE 3rd St.
Pine Island, MN
507-356-8558

Rochester Public Library
101 2nd St. SE
Rochester, MN
507-285-8000

The document is open for public comment until December 5, 2007, and written comments should be directed to the contact person listed below.

RGU: City of Pine Island

Contact:

Abraham Algadi, City Administrator
250 So. Main St.
PO Box 1000
Pine Island, MN 55963
Phone: 507-356-4591
Fax: 507-356-8230
pica@pitel.net

AUAR ADOPTED

On October 15, 2007, the Roseville City Council adopted the Twin Lakes Business Park Alternative Urban Areawide Review Update for the Twin Lakes redevelopment area.

If you have any questions, please do not hesitate to contact Jamie Radel at 651-792-7072 or Jamie.radel@ci.roseville.mn.us.

FINAL SCOPING DECISION DOCUMENT AVAILABLE

Project Title: UNIMIN North Mine Scoping Decision Document, BMI Project No. M11.38837

Description: The proposed Unimin Minnesota Corporation North Mine (the “Project”) is located to the northeast of the unincorporated community of Ottawa in LeSueur County, running along both sides of County Highway 36 with County Road 23 as its southern boundary. The Project area is approximately 1,015.5 acres in size. Existing land uses on the proposed site include gravel mining, woodlands, and agriculture. The mine will surround an active cemetery. The closed Tellijohn Landfill is located adjacent to the Project boundary.

RGU: LeSueur County

Contact:

Kathy Brockway, Planning & Zoning Administrator
LeSueur County
88 South Park Ave.
LeCenter, MN 56057-1652
Phone: 507-357-8209
Fax: 507-357-8541
Kbrockway@co.le-sueur.mn.us

EIS ADEQUACY DECISION

Project Title: I-94/TH 10 Interregional Connection

On October 25, 2007, the Minnesota Department of Transportation determined that the Final Environmental Impact Statement for the interregional connection between Interstate Highway 94 and Minnesota Trunk Highway 10 in Sherburne, Stearns, and Wright counties is adequate. This decision completes the Minnesota environmental review process as found in Minnesota Rules 4410. The record supporting the Adequacy Determination is available via the internet at: www.dot.state.mn.us/d3/projects/interregionalconnection. Those without internet access may obtain a hard copy by request to Project Manager Terry Humbert at 320-223-6527 or 8-800-657-3961. Notification has been provided to the EIS distribution list and others.

NOTICES

Minnesota Department of Agriculture

| File Number | Company | Crop | Project | County |
|-------------|---------------|-------|--------------------|--------|
| 07-NO-044 | Rutgers Univ. | Wheat | Disease Resistance | Dakota |

NOTICE OF ENVIRONMENTAL REPORT AVAILABILITY

Issued: October 31, 2007

**In the Matter of the Xcel Energy
Application for a Certificate of Need
for the Grand Meadow Wind Farm
Large Wind Energy Conversion System
PUC Docket No. E002/CN-07-873**

PLEASE TAKE NOTICE that the Environmental Report (ER) for the Grand Meadow Wind Farm (Project) Large Wind Energy Conversion System (LWECS) proposed for Mower County, Minnesota has been completed and is available for review by the public. The ER addresses potential human and environmental impacts of the proposed LWECS project and alternatives. Copies of the ER and other relevant documents are accessible at:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19234>

Paper copies may be requested from the Minnesota Department of Commerce staff listed at the end of this notice.

PROJECT DESCRIPTION

The Project as proposed is an LWECS of approximately 100.5 MW that would consist of up to 67 wind turbines. The turbines would be General Electric 1.5 MW SLE units mounted on freestanding tubular steel towers supported by cast-in-place concrete foundations. The towers would be 80 meters (262.5 feet) in height. The rotor diameter would be 77 meters (252.6 feet), resulting in a maximum overall height of 118.5 meters (388.8 feet) when one blade is in the vertical position. Pad mount transformers at each tower would step up the voltage from 575 V to 34.5 kV. Electricity generated from the turbines would be brought to the project substation using a series of buried electrical cables. The project substation would then step up the voltage from 34.5 kV to 161 kV in order to transmit the electricity approximately five miles to the point of interconnection at the GRE Pleasant Valley Substation.

Proposed Site Location

The proposed project site is located in Mower County, approximately 20 miles east of the city of Austin. The cities of Grand Meadow and Dexter are located adjacent to the project site, and the city of Elkton is located within the project site. The total project site area including the wind plant and land easements covers approximately 40 square miles southeast of US HWY 90. The turbines and access roads will permanently displace approximately 68 acres.

Associated Actions

The Grand Meadow Wind Farm is part of a larger Wapsipinicon Wind Project site application. The entire project comprises up to 137 GE 1.5 MW turbines with a nameplate capacity of 205.5 MW. The remainder of the project site covers approximately 40 square miles northwest of US HWY 90. At this time there has not been an application for a Certificate of Need for the remainder of the project; it has not been determined that an application will be necessary.

PUC CERTIFICATE OF NEED REVIEW PROCESS

The Project is a “large energy facility” as defined in Minnesota Statute 216B.2421, subp. 2 and a Certificate of Need from the Public Utilities Commission is required for such a project under Minnesota Statute 216B.243. On June 25, 2007, Xcel Energy filed a Certificate of Need application for the Grand Meadow Wind Farm. On August 7, 2007, the PUC issued an Order accepting the application as substantially complete as of July 24, 2007.

A public hearing will be held shortly. Under state law, the PUC proceeding is the only time at which the “no-build” alternative and the size, type, and timing of a new generating facility will be considered. These items will not be addressed in the PUC Site Permit process.

Project Contacts and Information

For more information about the process, the project or to place your name on the project mailing list, contact David Birkholz (651-296-2878 or david.birkholz@state.mn.us) Department of Commerce, 85 7th Place East, Suite 500, Saint Paul, Minnesota 55101-2198. Other contact information: Toll-Free Tel: 1-800-657-3794, Fax: 651-297-7891 or TTY: Minnesota Relay Service, 800-627-3529, and ask for the DOC.

MINNESOTA DEPARTMENT OF COMMERCE**NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL IMPACT STATEMENT****Large Electric Power Generating Plant Site
High Voltage Transmission Line Route
Natural Gas Pipeline Route (Partial Exemption)
Joint Permit Application
Mesaba Energy Project Proposed by Excelsior Energy, Inc.
PUC Docket No. E6472/GS-06-668**

PLEASE TAKE NOTICE that the Minnesota Department of Commerce (DOC) announces the availability of the Draft Environmental Impact Statement (DEIS) for the Mesaba Energy Project (PUC Docket E6472/GS-06-668) for public comment, as well as the dates, locations and times for public meetings.

Copies of the DEIS can be obtained through the DOC Project Manager and maybe viewed at the Public Utilities Commission (PUC) web site:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=16573>

Copies are also available for viewing at the following public libraries: Hoyt Lakes, Hibbing, Bovey, and Grand Rapids.

Public Meeting. DOC will conduct two public meetings to obtain comments on the DEIS. The meetings will be held beginning at 7 p.m. at the following locations:

West Range

Tuesday, November 27, 2007
Taconite Community Center
26 Haynes Street
Taconite, MN

East Range

Wednesday, November 28, 2007
Hoyt Lakes Arena
106 Kennedy Memorial Drive
Hoyt Lakes, MN

The public is invited to an informal “poster” session at each location beginning at 4 p.m. on the date of each meeting during which the applicant, DOC/PUC and Department of Energy (DOE) personnel will be present to discuss the proposed project and the EIS process. Displays and other forms of information about the proposed Mesaba Energy Project will be made available to the public for review.

The public will also have until Friday, January 11, 2008, to submit written comments to the DOC on the DEIS. Written comments should be mailed to Bill Storm (bill.storm@state.mn.us), Minnesota Department of Commerce, 85 7th Place, Suite 500, St. Paul, Minnesota 55101-2198.

Background. On June 19, 2006, Excelsior Energy submitted to the PUC a Joint Permit Application for a large electric power generating plant (LEPGP) site permit, a high voltage transmission line (HVTL) routing permit and a pipeline (partial exemption) routing permit associated with the proposed Mesaba Energy Project. On July 6, 2006, the PUC accepted the application as substantially complete and notified the applicant in writing of the decision. Copies of the application can be obtained through the DOC Project Manager and maybe viewed at PUC web site (<http://energyfacilities.puc.state.mn.us/Docket.html?Id=16573>); persons can also register to be added to the project mailing list at this site.

Regulatory Review Process. In accordance with the Power Plant Siting Act (Minnesota Statutes, 216E.001 through 216E.18) a site permit and a route permit are required before a large electric power generating plant (LEPGP) or high voltage transmission line (HVTL) can be constructed. The power plant siting act requirement became law in 1973. The rules to implement the permitting requirement for LEPPG are in Minnesota Rules Chapter 7849.5010 through 7849.6500.

A LEPPG is defined as any electric power generating equipment and associated facilities designed for or capable of operation at a capacity of 50,000 kilowatts or more. A HVTL is defined as a conductor of electric energy and associated facilities designed for and capable of operating at a nominal voltage of 100 kilovolts or more either immediately or without significant modification.

A pipeline route permit from the Public Utilities Commission is required for the construction of certain pipelines (Minnesota Statutes 216G.01 through 216G.12). The PUC has jurisdiction over pipelines that are designed to carry natural gas and be operated at a pressure of more than 275 pounds per square inch. However, the PUC's authority does not apply to interstate natural gas pipelines regulated under the federal Natural Gas Act and to pipeline owners or operators who are defined as a natural gas public utility under (Minnesota Statutes 216G.06).

Minnesota Rule Chapter 7849.5070, Joint Processing, allows an applicant to combine applications for a LEPPG site permit, a HVTL route permit and a pipeline route permit into a single, joint filing.

Excelsior Energy's Joint Permit Application will be reviewed under the Full Review Process (Minnesota Rule Chapter 7849.5200) within the Power Plant Siting Act. Under the full permitting process the applicant is required to submit two sites and/or routes (i.e., a preferred and an alternate) for consideration. As part of the permitting process, the Department of Commerce is responsible for certain procedural requirements (i.e., public notice and meetings), issuing the EIS Scoping Decision and the preparation of an Environmental Impact Statement (EIS). A contested case hearing will also be conducted following completion of the draft EIS. The PUC will make the final decision; that decision includes a determination on the adequacy of the EIS and the determination whether to grant the requested permits, as well as, site/route selection and permit conditions.

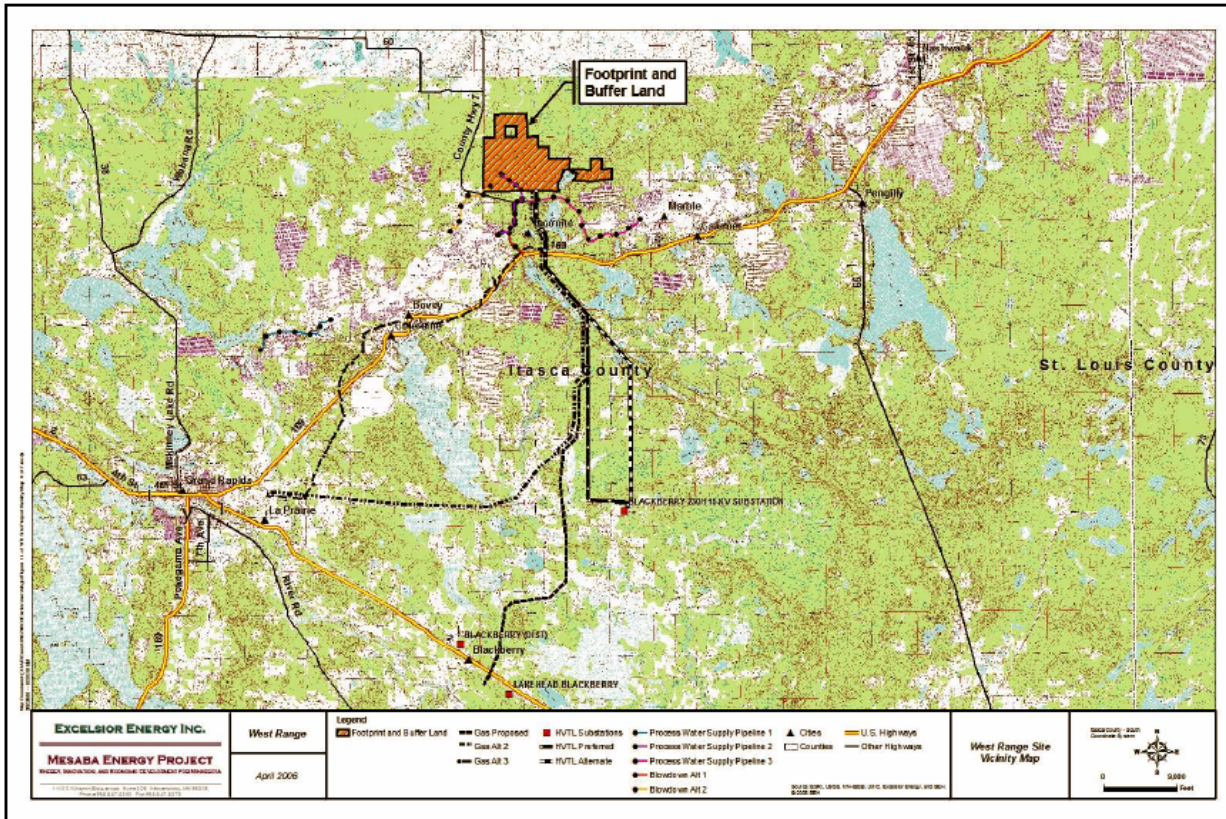
Project Description. Excelsior Energy is proposing to construct and operate a coal-feedstock Integrated Gasification Combined Cycle ("IGCC") power plant. The proposed power plant will be constructed in two phases; each phase will be capable of producing approximately 600 MW (net) of baseload power.

The two sites under consideration are located on the Iron Range. The applicant's preferred site, referred to as the West Range site (approximately 1,260 acres) is located just north of the city of Taconite in Itasca County, MN. The alternative site, referred to as the East Range site (approximately 825 acres) is located about one mile north of the city of Hoyt Lakes in St. Louis County, MN.

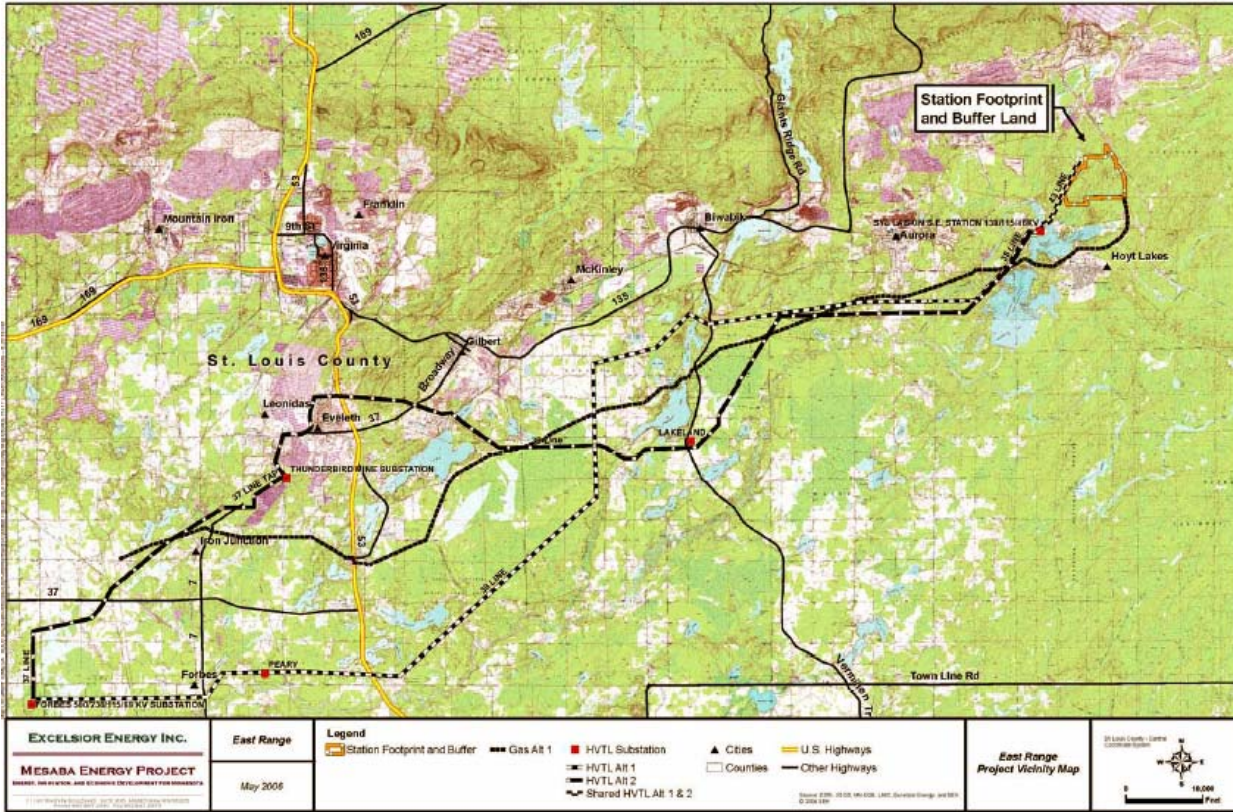
In the E-GasTM process, coal, petroleum coke, or blends of coal and petroleum coke are crushed, slurried with water, and pumped into a pressurized vessel (the gasifier) along with purified amounts of oxygen. In the gasifier, controlled reactions take place, thermally converting feedstock materials into a gaseous fuel known as synthetic gas, or syngas. The syngas is cooled, cleaned of contaminants, and then combusted in a combustion turbine (CT), which is directly connected to an electric generator. The assembly of the CT and generator is known as a combustion turbine generator (CTG). The expansion of hot combustion gases inside the CT creates rotational energy that spins the generator and produces electricity. The hot exhaust gases exiting the CTG pass through a heat recovery steam generator (HRSG), a type of boiler, where steam is produced. The resulting steam is piped to a steam turbine that is connected to an electric generator. The expansion of steam inside the steam turbine spins the generator to produce an additional amount of electricity. When a CTG and a steam turbine generator (STG) are operated in tandem at one location to produce electricity, the combination of equipment is referred to as a combined cycle electric power plant. Combining the gasification process with the combined cycle design is known as integrated gasification combined cycle (IGCC).

When both phases are completed the power block will consist of two CTG (approximately 220 MW each) and one STG (approximately 300 MW). Three gasifiers, two on-line and one off-line during operation, will supply the CTG with syngas. Power generated from the project will be interconnected to the regional electrical grid via high voltage transmission lines, either at the Blackberry or Forbes substations depending on which site (i.e., West Range or East Range, respectively) is selected.

Inquiries about this project should be directed to the DOC project manager, Bill Storm (bill.storm@state.mn.us) or the public adviser, Deb Pile (Deborah.Pile@State.mn.us) 85 7th Place East, Suite 500, St. Paul, MN 55101, telephone 651.296.9535, (toll free 1.800.657.3794), facsimile 651.296.3698 (TTY relay service 800.627.3529).



WEST RANGE SITE



EAST RANGE SITE

NOTICE OF PUBLIC MEETINGS AND PUBLIC HEARINGS**BEFORE THE****MINNESOTA PUBLIC UTILITIES COMMISSION****REGARDING:****I.****CERTIFICATE OF NEED APPLICATIONS FOR THE LSr, ALBERTA CLIPPER AND SOUTHERN LIGHTS DILUENT PROJECTS****(PUC DOCKET NOs PL9/CN-07-464 and PL9-CN-07-465)****II.****APPLICATIONS FOR PIPELINE ROUTING PERMITS FOR THE LSr, ALBERTA CLIPPER AND SOUTHERN LIGHTS DILUENT PROJECTS****(PUC DOCKET NOs PL9/PPL-07-360 and PL95/PPL-07-361)**

This notice concerns applications to the Minnesota Public Utilities Commission (PUC) by Enbridge Energy, Limited Partnership and Enbridge Pipelines (Southern Lights) L.L.C, (Enbridge) for Certificates of Need (CON) and Pipeline Routing Permits (PRP) that will allow Enbridge to expand its existing crude oil pipeline system in Minnesota. This notice provides the dates, times and locations for scheduled public hearings and also provides a description of the issues to be considered at the public hearings and the procedural requirements for public hearings on large energy facilities. If you have an interest in these projects, please read this notice. Any questions may be directed to the appropriate contact person identified below.

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

ISSUES TO BE CONSIDERED

Certificate of Need (CON). The CON proceeding examines the size, type and timing of the projects to determine whether the proposed pipelines are needed and in the public interest. The PUC is authorized by Minn. Stat. 216B.243, subd 2, to issue a CON if Enbridge can demonstrate that there is a need for the project.

Pipeline Routing Permit (PRP). The PRP proceeding determines the location of the pipelines. During this proceeding the impact that the proposed projects will have on humans and the environment and methods to minimize or mitigate those impacts, will be considered. A PRP designates both where the pipeline may be built and specifies conditions for right-of-way preparation, construction and right-of-way restoration. The PUC is authorized by Minn. Stat § 216G.02 to designate routes where the pipeline may be built and issue PRPs.

PUBLIC HEARINGS

The Honorable Eric L. Lipman, an Administrative Law Judge (ALJ) from the Office of Administrative Hearings (OAH) will hold public hearings on behalf of the PUC regarding the CON and PRP proceedings for the Enbridge Projects.

The hearings identified below will address need and routing issues for all projects for areas North and West of Clearbrook, Minnesota. Separate hearings will be held in the spring of 2008 for Alberta Clipper and Southern Lights Diluent Project Certificate of Need and Pipeline Routing Permit in the areas South and East of Clearbrook. Public notice of those hearings will be provided in advance of those hearing dates.

Any person who would like to comment on the need or proposed route for the pipeline, or propose a minor location change or alignment modification within Enbridge's REVISED 500 foot wide route will have the opportunity to present evidence, recommendations and comments to Judge Lipman at any of the scheduled hearings identified below.

COMBINED CON AND ROUTE HEARING SCHEDULE

| COUNTY | CITY | MEETING LOCATION | DATE AND TIME |
|------------|-------------------|---|-----------------------------------|
| Kittson | Kennedy | VFW & Café 103 5 th St. E. | Tuesday, Nov. 27, 10:00 a.m. |
| Marshall | Argyle | Argyle Community Center 701 Pacific Avenue | Tuesday, Nov. 27, 5:00 p.m. |
| Red Lake | Oklee | Oklee Community Hall 2 nd Ave. between fire hall and gas station (no physical address listed on building) | Wednesday, Nov. 28, 10:00 a.m. |
| Pennington | Thief River Falls | Best Western Meeting Room 1060 Highway 32 South | Wednesday, Nov. 28, 5:00 p.m. |
| Polk | Gully | Gully Community Center 120 S. Main St. | Thursday, Nov. 29, 9:00 a.m. |
| Clearwater | Clearbrook | City Hall Band Room 200 Elm St. SE | Thursday Nov. 29, 5:00 p.m. |

***NOTE: Prior to the start of each public hearing the DOC staff will conduct a 5 to 10 minute public information meeting to provide a brief overview of the CON, PRP and the hearing processes, and to describe how the public may participate in each of them.**

The hearing will continue until all persons have had the opportunity to present evidence and question witnesses. If needed, the hearing may be recessed and continued by the ALJ and additional hearing dates may be established by the ALJ in accordance with Minnesota Rules Parts 1405.1400 to 1405.2300.

CONDUCT OF HEARING

At the start of each hearing session, the ALJ will explain the procedural rules for the hearing, including the sequence for providing testimony and questioning witnesses. Members of the public will be allowed to

participate without the necessity of intervening as a party. Representation by legal counsel is permitted but not required. Participation includes: a) offering direct testimony; b) offering testimony or other material in written form at, or following the hearing; and c) questioning witnesses.

Any person who wishes to question a witness, but does not want to ask the questions, may submit questions in writing to the ALJ, who will then question the witness. Questions may be submitted during the hearing or may be sent to the ALJ in advance of the hearing. A transcript of the proceedings will also be available on request. For more information about participation as a member of the public, contact the PUC's or DOC's public advisor (see information below).

Enbridge Energy and the Department of Commerce are the only formal parties to the CON proceedings. Enbridge Energy is the only party to the pipeline routing permit proceedings. Parties are required to prefile their direct written testimony. This direct written testimony will be available for review as described below.

The ALJ will conduct the public hearings in accordance with OAH procedural rules for the PUC's energy facility permitting process (Minnesota Rules Chapters 1400 and 1405). Copies of the rules are available for review at the places identified in the "Information Available for Review" section of this notice and will be available at the public meetings and hearings. Copies may also be obtained from the Department of Commerce as described below.

PUBLIC COMMENT PERIOD DEADLINES

The public hearing record will remain open following the hearings until 4:30 p.m. on December 14, 2007 so as to allow additional written comments from the public.

OVERVIEW OF ENBRIDGE PIPELINE PROJECTS

Enbridge seeks authorization to build three petroleum pipelines, shown on the accompanying map. The proposed projects are intended to increase crude petroleum transportation capacity between the oil sands in Western Canada and Midwestern refineries, and are a part of Enbridge's system expansion plans in Canada and the U.S.

LSr Project (Docket Nos. PL9/PPL-07-360): The LSr Project is an approximately 136 mile 20-inch outside diameter crude oil pipeline and associated facilities that will run from the Canadian border in North Dakota to an existing tank farm in Clearbrook, Minnesota. The Minnesota portion of this project is approximately 108 miles long, and is proposed to cross portions of Kittson, Marshall, Pennington, Red Lake, Polk and Clearwater counties (see map), generally along its existing pipeline right-of-way. The LSr Project will be able to transport approximately 186,000 barrels of oil per day (bpd).

Alberta Clipper/Southern Lights Diluent Projects (Docket Nos. PL9/PPL-07-361): The Alberta Clipper Project is a 990-mile-long, 36-inch outside diameter crude oil pipeline between Hardisty, Alberta, Canada and Superior, Wisconsin, with approximately 285 miles of pipeline and associated facilities to be constructed in Minnesota, generally along Enbridge's existing pipeline right-of-way. The Alberta Clipper Project crosses 13 counties: from west to east, Kittson, Marshall, Pennington, Red Lake, Polk, Clearwater, Beltrami, Hubbard, Cass, Itasca, Aitkin, St. Louis and Carlton. This line will transport approximately 450,000 bpd of heavy crude oil from the Canadian oil sands to Midwest refineries. Enbridge plans to construct the Alberta Clipper Project in conjunction with the Southern Lights Diluent Project.

The Southern Lights Diluent Project is approximately 175 miles of new 20-inch outside diameter pipeline from Superior Wisconsin to Enbridge's tank farm in Clearbrook, Minnesota, crossing Clearwater, Beltrami, Hubbard, Cass, Itasca, Aitkin, St. Louis and Carlton counties,. Enbridge proposes to construct the Southern Lights Diluent Project generally along or adjacent to its existing pipeline right-of-way. When completed, this new pipeline will begin in the Chicago area and end at the Enbridge tank farm in Clearbrook, Minnesota. At Clearbrook, Enbridge will reverse the flow on one of its existing 18-inch liquid petroleum pipelines between Clearbrook, Minnesota and the Canadian border near Neche, North Dakota. The Southern Lights Diluent Project will allow Enbridge to transport a byproduct of the refining process from refineries in the Chicago area to the oil sands of Alberta, Canada, where it will be used to dilute the Canadian oil to enable it to flow through a pipeline.

ENBRIDGE'S PROPOSED PIPELINE ROUTE

Chapter 7852 of the Minnesota Rules requires the applicant to identify a preferred route. A route may have a variable width from the minimum required for the pipeline right-of-way (approximately 50-75 feet) up to 1.25 miles. Enbridge initially identified a proposed route of 75 feet generally to the south side of its existing pipelines. On October 10, 2007, Enbridge changed its original proposed route to a REVISED PROPOSED ROUTE of 500 feet in width, centered approximately 25 feet south of Enbridge's existing southernmost pipeline. The width of the revised proposed route represents the area in which Enbridge is requesting to place the pipelines, not the amount of land required to install the pipelines. Enbridge states it intends to use, follow or parallel its existing pipelines and rights-of-way where possible, deviating from its existing right-of-way only where necessary in congested areas and around pumping stations. Enbridge has identified a preliminary location alignment within the 500 foot wide route, which is subject to change throughout the permitting process.

Land and Right-Of-Way Requirements. These pipelines will be placed alongside of existing easements/right-of-way in most areas. When placed in this manner, the pipelines will require up to 75 feet of additional permanent right-of-way space next to Enbridge's existing pipelines. Temporary work space varying in width from 90 to 140 feet will be required in addition to the permanent easement to store excavated soil and pipe sections, move equipment and vehicles, and provide a safe work area to install the pipelines.

INQUIRIES, PROJECT CONTACTS

Public advisors from the DOC and PUC staff have been appointed to assist and advise persons interested in taking part in the proceedings and will provide on request documents identified in this notice. However, the public advisors are not authorized to give legal advice. If you need an interpreter or need to make special arrangements to participate at the hearing, please contact the Administrative Law Judge at the address provided below. For more information, contact one of the persons listed below:

Administrative Law Judge. Eric L. Lipman, Office of Administrative Hearings, P.O. Box 64620, St. Paul, MN 55164-0620. eric.lipman@state.mn.us; Fax: 651-361-7936. Tel: 651-361-7842.

Department of Commerce. The Department has designated DOC staff member Larry Hartman (Tel: 651-296-5089 or larry.hartman@state.mn.us) as project manager and Deborah Pile (Tel: 651-297-2375 or deborah.pile@state.mn.us) as the public advisor for the pipeline route permit proceedings. You may contact them at: Department of Commerce, 85 7th Place East, Suite 500, Saint Paul, MN 55101-2198. Other contact information: Toll-Free: 1-800-657-3794, Fax: 651-297-7891 or TTY: Minnesota Relay Services, 1-800-627-3529, and ask for the DOC.

DOC Legal Counsel. Valerie M. Smith for Certificate of Need; Karen Finstad Hammel for Pipeline Routing Permit, Minnesota Attorney General's Office, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, MN 55101-2127; Fax: 651-297-1138; valerie.smith@state.mn.us, Tel: 651-296-6170; karen.hammel@state.mn.us, Tel: 651-297-1852

The Department of Commerce represents the public interest in certificate of need and other proceedings before the Public Utilities Commission. The Department provides two separate and distinct roles with two separate and distinct staffs. The DOC's Energy Planning and Advocacy function and staff serve as the state agency charged with advocating for the public interest in CON proceedings. The Department's Energy Facilities Permitting function and staff serve as the facilitators of the processes required in route permitting proceedings as well as ensuring that the route permitting record is complete for the Commission's decision.

Public Utilities Commission. The Commission has designated Bret Eknes (Tel: 651-201-2236 or bret.eknes@state.mn.us) of the PUC staff as its project manager and public advisor for both Certificate of Need proceedings. Mr. Eknes may be contacted in writing at: Minnesota Public Utilities Commission, 121 7th Place E., Suite 350, Saint Paul, MN 55101-2147.

Project Mailing Lists

If you would like to have your name added to the PUC route permit proceeding mailing list for the Enbridge pipeline projects (PUC Docket PL9/PPL-07-360 or PL9/PPL-361), you may register at: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=19203> or contact the DOC staff at the address above.

The PUC maintains a separate service list for the Certificate of Need proceeding. To be placed on that list (PUC Docket PL9/CN-07-464 or PL9/CN-07-465) mail, fax or email Robin Benson at Minnesota Public Utilities Commission, 121 7th Place E., Suite 350, Saint Paul, MN 55101-2147, Fax: 651-297-7073 or robin.benson@state.mn.us.

Enbridge. Contact Enbridge's toll-free public information number at (866) 410-4356, or contact Enbridge's community relations representative: Kevin O'Connor (Tel: 612-347-7879 or kgoconnor@nrg-11c.com). Natural Resource Group, 80 S. 8th St., Suite 1000, Minneapolis, MN 55402.

Enbridge Legal Counsel. Kevin T. Walli, Fryberger, Buchanan, Smith & Frederick, P.A., The First National Bank Building, 332 Minnesota Street, Suite W-1260, St. Paul, MN 55101; kwalli@fryberger.com, Fax: 651-221-1035, Tel: 651-221-1044

INFORMATION AVAILABLE FOR REVIEW

The following will be available for review on November 13, 2007 at public libraries in the cities of Hallock, Warren, Thief River Falls, Red Lake Falls, Fosston, McIntosh, Bagley, Bemidji, Park Rapids, Cass Lake, Walker, Bovey, Coleraine, Grand Rapids, Marble, Aitkin, McGregor, Duluth, Carlton, and Cloquet and at the Department of Commerce office in St. Paul: **1)** Prefiled testimony of the parties including a comparative environmental analysis; **2)** Revised Preferred Route and Alignment maps and route alternative maps; **3)** Certificate of Need Rules for Oil Pipelines (Minnesota Rules, Chapter 7853, **4)** Pipeline Routing Rules (Minnesota Rules Chapter 7852), **5)** the Pipeline Routing Act (Minn. Stat. 216G), **6)** Office of Administrative Hearings Rules (Minnesota Rules Chapter 1405) for Hearings on Energy Facilities, and Chapter 1400, parts 5010 to 8400; and **7)** Enbridge's applications (Certificate of Need and Pipeline Routing Permit)

Application Availability. Copies of the application and the REVISED Preferred Route and Alignment Maps are also available for review at each regional development commission, soil and water conservation district, watershed district, auditor of each county, and the clerk of each township and city crossed by the proposed pipeline. Please contact the appropriate office or person to review the applications.

Enbridge Energy Information Website. Please see <http://www.enbridge-expansion.com>. Contact Enbridge at 612-347-7879 to request a CD or print copy of the Certificate of Need and Pipeline Route Permit applications or the revised materials.

PUC Information Websites. Information regarding the Enbridge Projects is available at: <https://www.edockets.state.mn.us/EFiling/home.jsp>. Type in 07-360 or 07-361 for information on the route proceedings or 07-464 or 07-465 for information on the Certificate of Need proceedings. Information on the route permit proceeding is also available at: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=19203>.

MINNESOTA LAWS AND RULES GOVERNING PIPELINES

All applicable statutes and rules are on the State of Minnesota website at: <http://www.leg.state.mn.us/leg/statutes.asp>.

Certificate of Need. Under Minn. Stat. §216B.243, subd. 2, a facility cannot be sited or constructed in Minnesota unless the PUC issues a Certificate of Need to the Applicant. The CON rules pertinent to this filing are Minnesota Rules, Parts 7853.0010 to 7853.0800.

Pipeline Routing Permit. Under Minn. Stat. §216G.02, the proposed pipeline facilities cannot be sited or constructed unless the PUC issues a Pipeline Routing Permit to the Applicant. The pipeline routing permit application is being reviewed pursuant to Minn. Rules, parts 7852.0800 to 47852.1900.

Eminent Domain. Enbridge will have the authority upon issuance of a Certificate of Need and a Pipeline Routing Permit under Minnesota laws (Minn. Stat. 117.48) to use eminent domain to acquire the right-of-way necessary to construct and operate the proposed pipelines and associated facilities.

Agricultural Mitigation Plan. Minnesota Statute Section 216E, Subd. 3. (b) gives the Department of Agriculture the responsibility for development of the agricultural mitigation plan required for this project. The Department of Agriculture may participate and advise the PUC as to whether to grant a permit for the project and the best options for mitigating adverse impacts to agricultural lands if the permit is granted.

Enbridge has consulted with the Minnesota Department of Natural Resources regarding state threatened and endangered species and will apply to the Minnesota Department of Natural Resources for a License to Cross Public Waters. Enbridge will be consulting with, and applying to, the Minnesota Pollution Control Agency (MPCA) regarding Section 401 water quality certifications.

FEDERAL LAWS AND RULES GOVERNING PIPELINES

Enbridge has filed other required permit applications with the U.S. Department of State for Presidential Permit for Cross-Border Crossing, the United States Army Corps of Engineers for wetland and waterbody crossing permits, the U.S. Forest Service for an amended Special Use Permit. In addition, Enbridge is consulting with

the Corps of Engineers and State and Tribal historic Preservation Officers regarding compliance with Section 106 of the National Historic Preservation Act, and with the U.S. Fish and Wildlife Service and the U.S. Forest Service regarding compliance with Section 7 of the Endangered Species Act.

Presidential Permit for Cross-Border Crossing. The proposed pipeline project falls under the jurisdiction of the U.S. Department of State (as designated by Executive Order) and explained on their website under the Energy Policy, Pipeline Permits, Non-Agricultural Commodities portion of the website (<http://state.gov/e/eeb/c9982.htm>).

Section 404 and Section 10 Authorization. The proposed projects are subject to jurisdiction by the U.S. Army Corps of Engineers under section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. Additional information on these permit programs is available on the Corps of Engineers website (<http://www.mvp.usace.army.mil/regulatory/>).

