



Publication Date: March 10, 2008  
Vol. 32, No. 5

Next Publication: March 24, 2008  
Submittal Deadline: March 17, 2008

# EQB MONITOR

## ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: April 9, 2008

**Project Title: Commerce Hill Development, Woodbury, Minnesota**

**Description:** The proposed project consists of approximately 296,364 SF of commercial/office development on approximately 37 acres of undeveloped land in Woodbury, MN. The site is located between Tamarack Road and Commerce Drive, approximately 500 feet west of Woodbury Drive (CO RD 19). The development will include one large upscale discount department store with adjacent strip retail, two "Places to Work" buildings, parking areas, a master storm pond, and 6 out-lot buildings anticipated to be banks, retail, or restaurants

**RGU:** City of Woodbury

**Contact Person:**

Steve Kernik, Environmental Planner  
8301 Valley Creek Road  
Woodbury, MN 55125  
Phone: 651-714-3533  
Fax: 651-714-3501  
[skernik@ci.woodbury.mn.us](mailto:skernik@ci.woodbury.mn.us)

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: Big Stone Hutterite Bretheren Feedlot Expansion**

**Description:** Big Stone Hutterite Brethren (Project Proposer), is proposing an expansion to their existing facility, which will include three 600-foot long by 68-foot wide turkey barns, one 132-foot long by 60-foot wide starter turkey barn expansion, one 573-foot long by 154-foot wide by 3-foot deep hog barn, two additions to an existing 58-foot by 462-foot hog barn (1 73-foot by 41-foot addition, 1 74-foot by 46-foot addition), and one 32-foot long by 32-foot wide by 16-foot deep sump pit. The Project Proposer will be abandoning an existing 54-foot by 490-foot hog barn. Manure from the hog buildings will be pumped to an existing two-cell earthen storage basin. The 160-foot long by 240-foot wide turkey manure compost bunker and 100-foot by 20-foot mortality compost bunker were constructed in the fall of 2007, which was designed and constructed to meet the needs of the proposed expansion. When completed, there will be 21,200 starter turkeys (less than 5 pounds), 48,755 finisher turkeys, 1,010 sows, 2,908 nursery pigs, 4,835 finish pigs, 500 layer chickens, and 2,000 broiler chickens at the facility, for a total of 2,995.99 animal units.

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:**

James Sullivan, Planner Principal  
Environmental Review and Operations Section  
Regional Division  
Minnesota Pollution Control Agency  
520 Lafayette Road No.  
St. Paul, MN 55155-4194  
651-297-1788

**Project Title: Mountain Timber Wood Products Fuel Pellet Facility**

**Description:** Mountain Timber Wood Products proposes to construct a new wood fuel pellet facility in Mt. Iron, Minnesota. A mixture of hardwood and softwood would be cleaned, processed into small pieces, dried into pellets, cooled, and packaged for sale. Proposed annual production is 100,000 dry tons of finished wood pellet products per year. Mountain Timber Wood Products would need approximately 200,000 green tons of raw materials a year that would be supplied by local loggers and sawmills. Market research for the proposed project indicates that the biomass supply would consist of approximately 120,000 tons softwoods and 80,000 tons hardwoods per year.

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:**

James Sullivan, Planner Principal  
Environmental Review and Operations Section

Regional Division  
Minnesota Pollution Control Agency  
520 Lafayette Road No.  
St. Paul, MN 55155-4194  
651-297-1788

**Project Title: Park Construction Project**

**Description:** Park Construction Company proposes to develop, construct, and operate a private sand excavation operation over an estimated 5- to 10-year period. Operations will consist of material excavation, stockpiling, and loading operations. Approximately 53 acres of land will be disturbed by the operation. The site, after reclamation, will be 32 acres of open water capable of supporting a variety of habitat for wildlife.

**RGU:** Athens Township

**Contact Person:**

Jim Braun, Township Administrator  
Athens Township  
2428 115<sup>th</sup> Avenue  
Princeton, MN 55371  
Phone: 763-444-8097  
Email: [jb Braun@northlc.com](mailto:jb Braun@northlc.com)

**Project Title: Hudson Aggregate Pit**

**Description:** LRH Aggregates, LLC proposes to expand its existing gravel mining operation from 35 acres to 140 acres, which involves extraction and processing of aggregate resources from the subject property. The project will involve stripping of topsoil, excavation, screening, processing, stockpiling, and transport of mineral aggregate from the site.

**RGU:** Lake County Planning & Zoning

**Contact Person:**

Matthew Huddleston  
Planning & Zoning Administrator  
601 3rd Ave.  
Two Harbors, MN 55616  
Phone: 218-834-8325  
Fax: 218-834-8365  
[matthewhuddleston@co.lake.mn.us](mailto:matthewhuddleston@co.lake.mn.us)

**Project Title: Grant County Highway 19 Resurfacing**

**Description:** Grant County proposes the resurfacing of Highway 19 from the current gravel surface to bituminous. The proposed project begins at State Highway 79 and extends northerly along the Grant/Douglas

County Line to the Big Island Road, approximately 1/2 mile south of CSAH 82. This road project is approximately 5.0 miles in length. The proposed road has a subgrade width of 42 feet. Surfacing will consist of 10 inches of gravel base and 4 inches of bituminous surfacing.

The terrain of the area is rolling with many home development areas using the roadway for access. The land use is primarily agriculture with some adjacent residential homes, fish and wildlife properties, various wetlands, lakes, and other land uses.

**RGU:** Grant County Highway Dept.

**Contact Person:**

Luthard Hagen  
Grant County Hwy. Engineer  
Box 1005  
Elbow Lake, MN 56531  
218-685-4481

## 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*.

- Renville County Board of Commissioners, Toren and Schwarzrock Mining Sites Expansion Project, February 26, 2008 (December 31, 2007)
- Minnesota Pollution Control Agency, Scherger Hog Feedlot Expansion Project, February 18, 2008 (December 17, 2007)
- Duluth City Planning Commission, Lake Avenue Skywalk Project, February 12, 2008 (December 17, 2007)
- City of Alexandria, Alexandria High School-School District 206, February 26, 2008 (December 31, 2007)
- Cambridge City Council, Cambridge Commercial Retail Development, February 19, 2008 (December 31, 2004)

## NOTICE OF EIS AVAILABILITY

**Astra Village Office, Commercial and Housing Development  
City of Brooklyn Park**

The City of Brooklyn Park has prepared a Draft Environmental Impact Statement on the proposed Astra Village multi-use development to be located on 155 acres between Hampshire and Regent Avenues and Highway 610 and 93rd Avenue in that community.

The proposed project may consist of up to 1,968,000 square feet of office space, a 150-room hotel, 92,000 square feet of commercial space, and 950 housing units.

The issues studied in the EIS are: land use, physical impacts of water resources, surface water runoff, wastewater, geologic impacts and soil conditions, traffic, compatibility with plans and regulations, infrastructure and public services, noise and dust.

**Review Copies:** Copies of the Draft EIS are available for public review at the Brooklyn Park City Hall, Community Development Department, 5200 85th Avenue N., Brooklyn Park, MN 55443; 763-493-8056.

**Public Comment Meeting:** A public informational and comment meeting on the Draft EIS will be held on Wednesday, April 2, 7:00 p.m., at the Brooklyn Park City Hall.

**Public Comment Period:** The public comment period will begin March 10 and end April 14.

**Contact:** Cindy Sherman, Planning Director, City of Brooklyn Park, 5200 85th Avenue N., Brooklyn Park, MN 55443; 763-493-8051.

## SUPPLEMENTAL DEIS AVAILABLE

**Project Title:** Supplemental Draft Environmental Impact Statement (Supplemental DEIS) for the Central Corridor Light Rail Transit System

**Description:** The Central Corridor Light Rail Transit (LRT) project proposes the construction of a light rail system between Minneapolis and St. Paul, Minnesota. The Central Corridor Alternatives Analysis and Draft Environmental Impact Statement (AA/DEIS) was published in the *EQB Monitor* and distributed on April 24, 2006. Public hearings were held the week of May 22, 2006, and public comment was accepted until June 5, 2006. Based on findings from the AA/DEIS and public and agency input received, the Metropolitan Council adopted a Locally Preferred Alternative (LPA) for the Central Corridor on June 28, 2006, namely LRT operating on Washington and University avenues.

The Federal Transit Administration (FTA) in cooperation with the Metropolitan Council, the local lead agency, will be preparing a Supplemental Draft Environmental Impact Statement (SDEIS) for the proposed Central Corridor LRT project. The SDEIS will focus on potential changes to the LPA based on AA/DEIS comments and subsequent preliminary engineering; it is not intended to repeat all the analyses contained in the project's AA/DEIS. The Supplemental DEIS will evaluate the following key project elements: the Hiawatha LRT and Central Corridor connection in the City of Minneapolis; University of Minnesota East Bank alignment (tunnel vs. at-grade and stations); potential stations at Hamline Avenue, Western Avenue or Victoria Street in St. Paul; alignment and stations in the Capitol Area; downtown St. Paul alignment and station modifications; requirements for 3-car train operations; the general locations of traction power substations; potential locations for a Central Corridor light-rail vehicle maintenance facility; Washington Avenue Bridge improvements; and other key project elements determined through the on-going decision-making process to have potential significant impacts to human and natural environments. A June 2008 publication of the SDEIS is anticipated.

Comments on the proposed scope of the Central Corridor LRT SDEIS can be addressed to the contact person listed below and are being accepted through March 17, 2008.

For those wishing more information on the Central Corridor LRT project, a Web site has been created and can be found at:

<http://www.metrocouncil.org/transportation/ccorridor/centralcorridor.htm>

**RGU:** Metropolitan Council

**Contact Person:**

Ms. Kathryn L. O'Brien, AICP, Project Manager

Central Corridor Project Office

540 Fairview Ave. North, Suite 200S

St. Paul, MN 55104

Phone: 651-602-1927

[kathryn.obrien@metc.state.mn.us](mailto:kathryn.obrien@metc.state.mn.us)

## **DRAFT ENVIRONMENTAL ASSESSMENT AVAILABLE**

**Project Title: Crosswind Runway and New Building Area at the Rush City Regional Airport**

**Description:** The City of Rush City is proposing to construct a crosswind runway and new building area at the Rush City Regional Airport. The project will be funded with partial Federal and State funding through the Federal Aviation Administration (FAA) and State airport funds. The proposed project is anticipated to result in wetland impacts and will affect farmland soils. A public meeting will be held at City Hall, 325 South Eliot Avenue, Rush City, MN on Monday, March 24, 2008 at 7:00 p.m. Copies of the federal Environmental Assessment (EA) are available for public review at the public libraries in Rush City and North Branch and at the Rush City Hall.

## **NOTICES**

### **Updated Guide to Minnesota Environmental Review Rules Coming Soon**

An updated edition of the guide to the rules is being prepared by EQB staff to address recent changes to the rules.

The current guide dates back to 1998 and does not address rule revisions implemented in 1999, 2005, and 2006. In addition, experience with the guide has shown a need for editorial revisions and clarifications. The new version will further updated following completion of pending 2008 rule revisions. The 1998 edition of Guide to Minnesota Environmental Review Rules is no longer available.

The updated guide is anticipated to be available on the EQB Website by June 2008.

For more information or assistance contact: Gregg Downing at 651-201-2476 or Jon Larsen at 651-201-2477.

## MINNESOTA DEPARTMENT OF AGRICULTURE

## NOTIFICATION OF RELEASES OF GENETICALLY ENGINEERED ORGANISMS

File Number	Company	Crop	Project	County
08-NO-015	Dow AgroSciences	Corn	Insect Resistance Herbicide Tolerance	Dakota, Freeborn, Otter Tail, Renville, Sibley, Stearns, Wilkin
08-NO-016	Dow AgroSciences	Corn	Herbicide Tolerance	Dakota, Fillmore, Otter Tail, Renville, Sibley, Stearns, Wilkin
08-NO-017	Monsanto	Corn	Abiotic Stress Tolerance	Blue Earth (2), Clay (2), Freeborn, Kandiyohi, Renville, Rice, Steele
08-NO-018	Syngenta	Corn	Altered Seed Composition and Content; Improved Feed Quality; Improved Grain Processing	Brown, Dakota (2), Faribault, Goodhue, Mower (2), Rice
08-NO-019	Monsanto	Corn	Abiotic Stress Tolerance	Otter Tail, Freeborn
08-NO-020	Pioneer	Soybean	Herbicide Tolerance; Selectable Marker; Altered Maturity and Plant Development; Increased Yield Stability; Increased Nitrogen Utilization Efficiency; Altered Amino Acid Composition; Drought Tolerance	Chippewa, Faribault, Kandiyohi, McLeod, Pope, Redwood, Renville, Rock, Sherburne, Stevens
08-NO-021	Dow AgroSciences	Corn	Insect Resistance Herbicide Tolerance	Dakota, Freeborn, Otter Tail, Renville, Sibley, Stearns, Wilkin

08-NO-022	Dow AgroSciences	Corn	Insect Resistance Herbicide Tolerance	Wabasha
08-NO-023	Syngenta	Corn	Insect Resistance	Brown, Dakota, Faribault, Goodhue, Mower (2), Rice
08-NO-024	Syngenta	Corn	Insect Resistance	Brown, Dakota (2), Faribault, Goodhue, Mower (2), Rice
08-NO-025	Monsanto	Corn	Abiotic Stress Tolerance	Blue Earth (2), Clay (2), Freeborn, Kandiyohi, Renville, Rice, Steele
08-NO-026	Syngenta	Corn	Herbicide Tolerance Selectable Marker	Faribault, Rice, Mower (2), Brown, Goodhue, Dakota
08-NO-027	Pioneer	Soybean	Herbicide Tolerance; Selectable Marker; Altered Fatty Acid Level and Lipid Profile; Altered Starch and Carbohydrate Metabolism	Chippewa, Faribault, Kandiyohi, McLeod, Pope, Redwood, Renville, Rock, Sherburne, Stevens
08-NO-028	Syngenta	Corn	Altered Seed Composition	Freeborn
08-NO-029	Monsanto	Corn	Abiotic Stress Tolerance	Otter Tail Freeborn
08-NO-030	Syngenta	Corn	Insect Resistance	Rice, Mower (2), Faribault, Dakota, Brown, Goodhue
08-NO-031	Monsanto	Soybean	Herbicide Tolerance Increased Oil Content	Redwood

For more information contact Mary Hanks, Minnesota Department of Agriculture, 625 Robert St N., St. Paul, MN 55155, 651/201-6277, [mary.hanks@state.mn.us](mailto:mary.hanks@state.mn.us) .



**Public Meeting Notice – Landscape Committee  
Minnesota Forest Resources Council**

The Landscape Committee of the Minnesota Forest Resources Council (MFRC) will meet on Thursday, March 13, 2008, from 10:00 a.m. – 1:00 p.m. in St. Paul at Kaufert Hall (Room 225) at the University of Minnesota St. Paul campus.

For more information, please contact Lindberg Ekola at (320) 256-8300 or go to the MFRC website at <http://www.frc.state.mn.us>.

**Public Meeting Notice – Northeast Regional Landscape Committee  
Minnesota Forest Resources Council**

The Northeast Regional Landscape Committee of the Minnesota Forest Resources Council (MFRC) will meet on Wednesday, March 19, 2008, from 10:00 a.m. – 3:00 p.m. in Duluth at the Natural Resources Institute (NRRI) building.

For more information, please contact Lindberg Ekola at (320) 256-8300 or go to the calendar on the MFRC website at <http://www.frc.state.mn.us>

**STATE OF MINNESOTA  
Minnesota Department of Commerce  
Office of Energy Security**

**ISSUED: March 3, 2008**

**NOTICE OF PUBLIC HEARINGS**

**BEFORE THE**

**MINNESOTA PUBLIC UTILITIES COMMISSION**

**REGARDING:**

**I.  
CERTIFICATE OF NEED APPLICATION FOR THE ALBERTA CLIPPER AND  
SOUTHERN LIGHTS DILUENT PROJECTS  
(PL9-CN-07-465)**

**II.  
APPLICATION FOR PIPELINE ROUTING PERMIT FOR THE ALBERTA  
CLIPPER AND SOUTHERN LIGHTS DILUENT PROJECTS  
(PL95/PPL-07-361)**

This notice concerns applications to the Minnesota Public Utilities Commission (MPUC) by Enbridge Energy, Limited Partnership and Enbridge Pipelines (Southern Lights) L.L.C, (Enbridge) for a Certificate of Need (CON) and Pipeline Routing Permit (PRP). This notice provides the dates, times and locations for scheduled public hearings and description of issues to be considered at the public hearings. 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 to determine whether the proposed pipelines are needed and in the public interest. The MPUC 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 the conditions for right-of-way preparation, construction, and right-of-way restoration. The MPUC is authorized by Minn. Stat. §216G.02 to designate routes where pipelines 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 MPUC 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 south and east of Clearbrook, Minnesota. Separate Certificate of Need and Pipeline Routing Permit hearings were held in November 2007 and January 2008 for the LSr Project and a portion of the Alberta Clipper Project north and west of Clearbrook in Kittson, Marshall, Pennington, Red Lake, Polk, and Clearwater counties.

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 proposed route will have the opportunity to present evidence, recommendations and comments to the ALJ at any of the scheduled hearings identified below.

## **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. For more information about participation as a member of the

public, contact the MPUC's or Minnesota Department of Commerce Office of Energy Security's (OES) public advisor (see information below).

The ALJ will conduct the public hearings in accordance with OAH procedural rules for the MPUC'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 OES as described below.

### COMBINED CON AND PRP HEARING SCHEDULE

March 25-26 and April 8-9

COUNTY	CITY	HEARING LOCATION	DATE & TIME
CLEARWATER COUNTY	Clearbrook	City Hall (Band Room)	<b>Tuesday, March 25, 10:00 a.m.</b>
BELTRAMI COUNTY	Bemidji	Hampton Inn & Suites- Mississippi Room	<b>Tuesday, March 25, 5:00 p.m.</b>
BELTRAMI COUNTY	Bemidji	Hampton Inn & Suites- Mississippi Room	<b>Wednesday, March 26, 10:00 a.m.</b>
CASS COUNTY	Cass Lake	American Legion	<b>Wednesday, March 26, 5:00 p.m.</b>
ITASCA COUNTY	Cohasset	Cohasset Community Center	<b>Tuesday, April 8, 5:00 p.m.</b>
ST. LOUIS COUNTY	Floodwood	St. Louis Fair Building	<b>Wednesday, April 9, 10:00 a.m.</b>
CARLTON COUNTY	Carlton	Carlton County Transportation Center	<b>Wednesday, April 9, 5:00 p.m.</b>

**NOTE: Prior to the start of each public hearing the OES Energy Facility Permitting (EFP) staff will be available to provide an overview of the CON, PRP and the hearing processes and describe how the public may participate in each of them.**

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

## **PARTIES**

For the certificate of need proceeding, there are three parties: Enbridge, the Minnesota Department of Commerce OES and the Minnesota Center for Environmental Advocacy (MCEA). MCEA and its witnesses will only be participating in the evidentiary portion of the Certificate of Need hearing scheduled for May 13 and 14, 2008 in St. Paul at the MPUC's Office. Enbridge and MCEA are the only parties to the PRP proceeding.

## **PUBLIC COMMENT PERIOD DEADLINES**

The public hearing record will remain open following the hearings until 4:30 p.m. on April 21, 2008, to allow additional written comments from the public.

## **OVERVIEW OF ENBRIDGE PIPELINE PROJECTS**

Enbridge seeks authorization to build two 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 United States.

**Alberta Clipper/Southern Lights Diluent Projects (Docket No. 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 barrels per day (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 crude 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 December 20, 2007, Enbridge changed its original proposed route to a REVISED PROPOSED ROUTE of 500 feet in width (minimum), 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 its REVISED Proposed Route, which is subject to change throughout the permitting process. In certain sections of the route, Enbridge has identified areas wider than 500 feet.

**Land and Right-Of-Way Requirements.** These pipelines will be placed alongside 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 AND PROJECT CONTACTS

Public advisors from the OES and MPUC 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 ALJ 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 Office of Energy Security.** The OES has designated 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 PRP proceedings. You may contact them at: Department of Commerce, Office of Energy Security, 85 7th Place East, Suite 500, St. 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.

**OES Legal Counsel.** Valerie M. Means for CON; Karen Finstad Hammel for PRP, Minnesota Attorney General's Office, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, MN 55101-2127; Fax: 651-297-1138; valerie.means@state.mn.us, Tel: 651-296-6170; karen.hammel@state.mn.us, Tel: 651-297-1852

**Minnesota Public Utilities Commission.** The MPUC has designated staff member Bret Eknes (Tel: 651-201-2236 or bret.eknes@state.mn.us) as its project manager and public advisor for the CON proceeding. Mr. Eknes

may be contacted in writing at: Minnesota Public Utilities Commission, 121 7th Place E., Suite 350, St. Paul, MN 55101-2147.

### **Project Mailing Lists**

If you would like to have your name added to the MPUC route permit proceeding mailing list for the Alberta Clipper project (MPUC Docket PL9/PPL-361), you may register at:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19203> or contact the OES staff at the address above.

The MPUC maintains a separate service list for the CON proceeding. To be placed on that list (MPUC Docket PL9/CN-07-465), mail, fax or email Robin Benson at Minnesota Public Utilities Commission, 121 7th Place E., Suite 350, St. Paul, MN 55101-2147, Fax: 651-297-7073 or [robin.benson@state.mn.us](mailto: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](mailto: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](mailto:kwalli@fryberger.com), Fax: 651-221-1035, Tel: 651-221-1044.

**Minnesota Center for Environmental Advocacy.** Janette K. Brimmer, Legal Director, Center for Environmental Advocacy, 26 East Exchange Street, Suite 206, St. Paul, MN 55101-1667, [jbrimmer@mncenter.org](mailto:jbrimmer@mncenter.org), Fax: 651-2235967, Tel: 651-223-5969.

### **INFORMATION AVAILABLE FOR REVIEW**

The following materials will be available for review on March 13, 2008, 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 DOC's 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 CON and PRP applications or the revised materials.

**MPUC Information Websites.** Information regarding the Enbridge Projects is available at: <https://www.edockets.state.mn.us/EFiling/home.jsp>. Type in 07-361 for information on the PRP proceeding or 07-465 for information on the CON proceeding. Information on the PRP 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 MPUC issues a CON 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 MPUC issues a PRP to the Applicant. The PRP application is being reviewed pursuant to Minn. Rules, parts 7852.0800 to 7852.1900.

**Eminent Domain.** Enbridge will have the authority upon issuance of a CON and a PRP 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 (DOA) the responsibility for development of the agricultural mitigation plan required for this project. The DOA may participate and advise the MPUC 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 (MDNR) regarding state threatened and endangered species and will apply to the MDNR 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 a Presidential Permit for Cross-Border Crossing, the United States Army Corps of Engineers (USACE) for wetland and waterbody crossing permits, the U.S. Forest Service for an amended Special Use Permit. In addition, Enbridge is consulting with the USACE 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 USACE 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 USACE website (<http://www.mvp.usace.army.mil/regulatory/>)

The Department of Commerce, Office of Energy Security, represents the public interest in certificate of need and other proceedings before the MPUC. The OES provides two separate and distinct roles with two separate and distinct staffs. The OES's Energy Planning and Advocacy function and staff serve as the state agency charged with advocating for the public interest in CON proceedings. The OES'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.

