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## REQUEST FOR COMMENTS

### Proposed Amendments to Rules Governing the Environmental Review Program, *Minnesota Rules*, chapter 4410.

**Subject of Rules.** The Minnesota Environmental Quality Board (EQB) is considering making revisions to the existing rules governing the Environmental Review Program. These are the rules under which Environmental Assessment Worksheets (EAWs), Environmental Impact Statements (EISs), and other environmental review documents are prepared. This rulemaking is required by legislation passed in the last legislative session that directs the Environmental Quality Board to adopt rules requiring an environmental impact statement be prepared for a proposed release and a permit for a release of genetically engineered wild rice.

The EQB proposes to add a mandatory category at *Minnesota Rules*, chapter 4410.4400 to address this statutory requirement.

**Persons Affected.** The proposed amendment may specifically affect all persons with an interest in wild rice cultivation, production, harvesting, marketing and use. The proposed amendment may specifically affect Native American tribes, other wild rice harvest permit holders, and commercial enterprises engaged in producing and marketing wild rice products. However, changes to the rules governing the Environmental Review Program may directly or indirectly affect all citizens of the state.

**Statutory Authority.** *Minnesota Statutes*, sections 116D.04 & 116D.045, establish the Environmental Review Program and authorize the EQB to adopt administrative rules governing its operation. Laws, 2007, chapter 57, article 1, section 140 authorizes the EQB to adopt rules relative to genetically engineered wild rice.

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>

**Public Comment.** Interested persons or groups may submit comments or information on possible rule amendments in writing or orally until 4:30 p.m. on Monday, July 16, 2007.

**Other Rulemaking.** It should be noted that the EQB has recently requested comments for other changes to the state environmental review rules relative to cumulative impacts, and also mandatory categories, including those for projects affecting shoreland areas. It is anticipated that all of the proposed rule changes will be incorporated into a single request to the EQB board to authorize rulemaking, in order to deal with all currently proposed changes concurrently. It is likely that a series of public hearings around Minnesota will be scheduled later. Please check the EQB website for details as they become available [www.eqb.state.mn.us](http://www.eqb.state.mn.us).

**Rule Drafts.** A description of the amendments being considered by EQB is available at the EQB website, [www.eqb.state.mn.us](http://www.eqb.state.mn.us), and from the EQB contact person noted below.

**Agency Contact Person.** Written or oral comments, questions, requests to be appointed to any advisory group on rule changes including wild rice, requests to receive the preliminary draft of the proposed amendments, or requests for more information on these possible amendments to rules should be directed to:

Jon Larsen  
Environmental Quality Board  
300 Centennial Building  
658 Cedar Street  
St. Paul, MN 55155  
Telephone: 651/201-2477  
Fax: 651/296-3698  
E-mail: [jon.larsen@state.mn.us](mailto:jon.larsen@state.mn.us)  
TTY users may call the Board at 800/627-3529.

**Alternative Format.** Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Note: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the administrative law judge reviews the comments, you should resubmit the comments after the rules are formally proposed.**

## ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: July 18, 2007

### **Project Title: Eureka Sand and Gravel Inc., Eureka Township Mining Operation**

**Description:** The project involves the extraction and processing of aggregates from a 75-acre area situated on a 155-acre parcel of property. Mining activity will include stripping, extraction, washing, screening, stockpiling, and hauling of aggregates and recycling of concrete and asphalt. The site will be mined and reclaimed in phases.

A copy of the document will be available for review at the Township Hall, 25043 Cedar Ave., Farmington, MN 55024. Office hours are Monday and Thursday 10:00-2:30, phone: 952-469-3736.

**RGU:** Eureka Township

**Contact Person:**

Dan Rogers, Township Chair  
PO Box 576  
Lakeville, MN 55055  
Phone: 952-469-5525

### **Project Title: Maine Prairie Township Gravel Mine**

**Description:** The Environmental Assessment Worksheet (EAW) for a proposed gravel mine located in Maine Prairie Township, County of Stearns, MN is now available. The proposed gravel mine is located north of Kimball, MN, on a 100-acre site approximately 1 mile northeast on State Highway 15. Parcel #R20.11752.000/001 Sec 36 TWP 122 Range 029 (owned by Stearns Enterprises LLC). Annandale Rock Products proposes to own and operate the gravel mine.

Operations at the gravel mine site include the use of a bulldozer and loader, as well as a gravel crusher and washer. On site, a 1,000 gallon above ground storage fuel tank. Hauling trucks will enter and exit the property near the southwest portion of the property.

An Environmental Assessment Worksheet (EAW) is required for any gravel mine of at least 40 acres in size with a mean depth of at least 10 feet. The gravel mine will be approximately 94 acres in size with a mean depth of greater than 10 feet. The Maine Prairie Township Board is the governmental unit responsible for preparing the EAW. The EAW can be reviewed at the Kimball Area Fire and Rescue Hall at 300 N. Elm St., in Kimball. It can also be reviewed at the Environmental Quality Board (EQB) office at 658 Cedar St., Suite 300, St. Paul, MN 55101. It will also be available after June 18 by request to the EQB at [jon.larsen@state.mn.us](mailto:jon.larsen@state.mn.us).

Comments on the EAW must be received by 4:30 p.m. on July 18, 2007 to be included in the record. Comments or questions should be directed to any of the Supervisors of Maine Prairie Township. You may also send any written concerns before July 18 to 12670 County Rd. 49, Watkins, MN 55389-9408.

Published in the Tri Co News, June 14 and 21, 2007

Published in the EQB Monitor, June 18, 2007

**RGU:** Maine Prairie Township Board

**Contact Person:**

Terre Harff, Maine Prairie Clerk/Treasurer

**Project Title: Dodge Property**

**Description:** The project includes a total of 92.15 acres that has been annexed to the city of Rochester. The project is located in the Southeast Quarter of Section 13, Cascade Township, in Olmsted County, Minnesota. The site is south of 48th Street NE (CR 124) and east of Trunk Highway 63. The project proposes a phased residential development with approximately 150 single-family residential homes and 2 areas for 70 multi-family units for a total residential area of 77.36 acres, along with 4.35 acres of open space. A portion of the remaining acres makes up additional right-of-way to accommodate the planned improvements to 48th St., NE (CR 124). This property is currently owned by Arcon Development, Inc and consists of undeveloped cropland and steep wooded slopes.

**RGU:** City of Rochester

**Contact Person:**

John Harford, Senior Planner  
2122 Campus Dr. SE  
Rochester, MN 55904  
Phone : 507-285-8232

## **EAW COMMENT PERIOD EXTENSION**

**Project: Crestview and Plainview Farm Expansion**

The MPCA has extended the public comment period on the EAW for this project until June 29, 2007. The original Monitor notice of this project can be found in the May 21, 2007 issue.

## **EAW NEED DECISIONS**

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

- Minnesota Pollution Control Agency, Benedikt Baer Hog Finishing Feedlot, exempt
- Wright County Board of Commissioners, Knife River Corporation, Corinna Township, denied
- Wright County Board of Commissioners, Scherber Companies, Buffalo Township, denied

## 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, Flagstaff Avenue Trunk Sewer Line Project, June 7, 2007 (April 23, 2007)
- City of Rochester, 50th Avenue NW Phase II Project, June 5, 2007 (April 23, 2007)
- Mower County Board of Commissioners, Seven Springs III Rural Subdivision (Turtle Creek Estates Development, LLC), June 5, 2007 (April 23, 2007)
- Blue Earth County Board of Commissioners, KJLY Radio Broadcast Communications Tower, May 29, 2007 (March 28, 2007)

## FINAL AUAR ADOPTED

### **Project Title: Sartell Section 34 & 35 Development Area Final AUAR and Mitigation Plan**

The City of Sartell adopted the Section 34 & 35 Development Area Final AUAR and Mitigation Plan on May 29, 2006. In accordance with Minnesota Rules Chapter 4410.3610 Subp. 5E, Resolution 97-01 is submitted as evidence of the adoption of the document to Environmental Quality Board staff.

If you have any questions, please contact Anita Rasmussen, Planning and Community Development Director, 320-258-7306 or Ciara Schlichting at 651-967-4557 or [ciara.schlichting@bonestroo.com](mailto:ciara.schlichting@bonestroo.com).

## COMMENT PERIOD EXTENDED

### **Project Title: The Minnesota Urban Ballpark Final EIS**

At the request of Hennepin County, the public comment period for the Final Environmental Impact Statement (EIS) for the Minnesota Urban Ballpark has been extended. The comment period will now end on Friday, June 22, 2007. For those who have already commented there is no need to resubmit comments. All comments will be reviewed and considered.

Written comments should be submitted to Chuck Ballentine, Deputy Coordinator, Hennepin County, Hennepin County Ballpark Project Office, 390 Grain Exchange Building, 400 South Fourth Street, Minneapolis, Minnesota 55415. Comments may also be submitted via the Hennepin County website (<http://www.co.hennepin.mn.us>). Please click on the "On Deck" section of the Hennepin County website to submit a comment.

Public review copies of the document are available at all City of Minneapolis Public Libraries. The Central Library, located at 300 Nicollet Mall, Minneapolis, will have both a hard copy version and an electronic version of the Final EIS available. The other 14 Minneapolis Public Libraries will have electronic copies of the document available.

Public review copies of the Final EIS are also available at the Hennepin County Ballpark Project Office, 390 Grain Exchange Building, 400 South Fourth Street, Minneapolis; Hennepin County Environmental Services Building, 417 No. 5th Street, Suite 320, Minneapolis; and Minneapolis City Hall, 3350 South Fifth Street, Minneapolis. The document is also posted on the "On Deck" section of Hennepin County's website at <http://www.co.hennepin.mn.us>.

There are limited hard copy versions of the Final EIS available; however, a CD version of the full Final EIS is available upon request by calling the Hennepin County Ballpark Project Office at 612-543-7275.

**RGU:** Hennepin County

**Contact:**

Chuck Ballentine  
Deputy Coordinator  
Hennepin County Ballpark Project Office  
390 Grain Exchange Building  
400 So. Fourth St.  
Minneapolis, MN 55415  
612-543-7275  
[Chuck.ballentine@co.hennepin.mn.us](mailto:Chuck.ballentine@co.hennepin.mn.us)

## **DRAFT EIS AVAILABLE**

**Project Title:** Trunk Highway 41 Minnesota River Crossing

**Description:** The Minnesota Department of Transportation (Mn/DOT), in cooperation with federal, state and local agencies, has prepared a Tier I Draft Environmental Impact Statement (DEIS) for a proposed new Minnesota River crossing that would connect United States Highway (US) 169 in Scott County to the New US 212 alignment (north of the existing US 212 corridor) in Carver County. The DEIS identifies six potential alternatives and evaluates and compares the social, economic, and environmental impacts associated with each alternative.

This proposal would involve placement of dredged and fill material in Waters of the U.S., and would require authorization from the U.S. Army Corps of Engineers, St. Paul District (Corps) pursuant to Section 404 of the Clean Water Act (Section 404). The Federal Highway Administration and MnDOT intend to pursue a concurrent review of the proposal pursuant to NEPA, MEPA, and Section 404. Upon selection of the preferred river crossing location, concurrence will be sought from the Corps whether that alternative is the least environmentally damaging practicable alternative on a corridor level.

**Public Review:** Copies of the DEIS are being distributed to those agencies on the current MEQB document review list and others. The comment period will begin on **June 18, 2007** and will extend through **August 10, 2007**. Comments should be directed to the contact listed below. The DEIS which documents the purpose and need of the project along with the anticipated social, economic, and environmental impacts, is available for public review at the following locations:

- Mn/DOT-Metro District Offices – 1500 West County Road B2, Roseville
- Mn/DOT Library- Central Office Transportation Building 1<sup>st</sup> floor, 395 John Ireland Blvd. St Paul
- Carver County Offices – 600 East Fourth Street, Chaska
- Scott County Offices – 200 Fourth Avenue West, Shakopee
- Carver County Libraries – 7711 Kerber Boulevard, Chanhassen, and 3 City Hall Plaza, Chaska
- Scott County Library – 235 South Lewis Street, Shakopee
- Minneapolis Public Library– Science and Technology, 250 Marquette Avenue, Minneapolis
- Legislative Reference Library- 645 State Office Building, 100 Rev. Dr. Martin Luther King Blvd. St. Paul
- The document is also available on the project website: [www.projects.dot.state.mn.us/srf/041](http://www.projects.dot.state.mn.us/srf/041).

**Public Hearing:** To afford an opportunity for all interested persons, agencies and groups to comment on the DEIS public hearings will be held on July 11, 2007 from 5:00PM. to 7:30PM at the Scott County Government Center – Conference Center (205 Fourth Avenue West, Shakopee) and July 18, 2007 from 5:00 p.m. to 7:30 p.m. at the Chaska Community Center – Community Room (1661 Park Ridge Drive, Chaska, Minnesota). Mn/DOT project staff will be available to provide information about the project and to answer individual questions.

Individuals with a disability who need a reasonable accommodation to participate in the public hearing should contact the Project Manager at the phone number listed above or through the Minnesota Relay Service by July 2, 2007.

**RGU:** Minnesota Department of Transportation

**Contact:**

Diane Langenbach, Mn/DOT–Metro Division,  
1500 West County Road B2, Roseville, MN 55113  
phone: 651-234-7721  
fax: 651-234-7786  
email: [diane.langenbach@dot.state.mn.us](mailto:diane.langenbach@dot.state.mn.us).

## FINAL EIS AVAILABLE

The Department of Natural Resources (DNR) has prepared a Final Environmental Impact Statement (EIS) documenting the analysis of potential impacts associated with the project proposed by Minnesota Steel Industries, LLC. The Proposed Project would include an open pit taconite mine, adjacent stockpile areas, and the construction of new facilities – a crusher, concentrator, pellet plant, plant for producing direct reduced iron, and a steel mill consisting of two electric arc furnaces, two ladle furnaces, two thin slab casters, a hot strip rolling mill, and construction of a new tailings basin on the site of the former Butler facility tailings basin. Minnesota Steel would utilize new and existing haul roads to transport overburden, waste rock, and lean ore to the stockpile area and taconite ore from the mine to the crusher. The Proposed Project would combine modern, commercially proven technologies to allow production of steel from taconite ore in less than 48 hours on the Minnesota Steel project site.

The Final EIS responds to timely substantive comments received on the Draft EIS consistent with the Final Scoping Decision Document. The Final EIS also contains corrections/revisions to the Draft EIS and serves as the complete EIS for the Proposed Project.

The DNR will accept comments on the adequacy of the Final EIS during the comment period that concludes at 4:30 p.m. on Monday, July 23, 2007.

Minnesota Rules part 4410.2800, subpart 4 requires the Final EIS to be adequate if:

- A. addresses the potentially significant issues and alternatives raised in scoping so that all significant issues for which information can be reasonably obtained have been analyzed in conformance with part 4410.2300, items G and H;
- B. provides responses to the substantive comments received during the draft EIS review concerning issues raised in scoping; and
- C. was prepared in compliance with the procedures of the act and parts 4410.0200 to 4410.6500.

Written comments should be submitted to Scott Ek, Principal Planner, Environmental Policy & Review, Division of Ecological Services, Minnesota Department of Natural Resources, 500 Lafayette Road, Box 25, St. Paul, MN 55155. Comments may also be emailed to [environmental.review@dnr.state.mn.us](mailto:environmental.review@dnr.state.mn.us) with “Minnesota Steel” in the subject line. Emails should include a name and legal mailing address.

Following the close of the Final EIS comment period, the DNR will determine the adequacy of the EIS and will prepare a record of its decision. If the DNR determines the EIS is inadequate, it shall have 60 days in which to prepare an adequate EIS. A notice of its adequacy decision will be published in the Environmental Quality Board (EQB) *Monitor*.

Public review copies of the documents are available at the DNR Library, 500 Lafayette Road, St. Paul, MN; the DNR Regional Office, 1201 East Highway 2, Grand Rapids, MN; the Duluth Public Library, 520 West Superior Street, Duluth, MN; the Minneapolis Public Library, Technology and Science, 300 Nicollet Mall, Minneapolis, MN; and the Keewatin Public Library, 125 West 3<sup>rd</sup> Avenue, Keewatin, MN.

The documents are also posted on DNR’s Website at:

<http://www.dnr.state.mn.us/input/environmentalreview/minnsteel/index.html>

Questions about this EIS may be directed to Scott Ek, Principal Planner at 651-259-5156.

## NOTICES

### Public Meeting Notice – Minnesota Forest Resources Council

The Minnesota Forest Resources Council (MFRC) will meet on Wednesday, July 18, from 9:30 a.m. – 3:30 p.m. at the Coates Plaza Hotel located in Virginia, MN.

For more information, please contact Leslie McInenly at (651) 603-6761 or visit the calendar on the MFRF website at <http://www.frc.state.mn.us>.