

## APPENDIX H

### PUBLIC NOTICES & PUBLIC INFORMATION

Minnesota EQB Scoping Decision and EIS Preparation Notice – June 11, 2012

Federal Register Notice of Intent – January 10, 2012

Scoping Meeting Poster – January 2012

D2 Open House Meeting Flyer – October 2011



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Next Publication: June 25, 2012  
Submittal Deadline: June 18, 2012  
Submit to [EQB.Monitor@state.mn.us](mailto:EQB.Monitor@state.mn.us)

## ENVIRONMENTAL ASSESSMENT WORKSHEETS

*EAW Comment Deadline: July 11, 2012*

**Project Title: Scott Sanness Farm – Section 26 Feedlot Expansion, Houston County**

**Description:** Scott Sanness operates a total confinement swine feedlot in Houston County with a maximum physical capacity of 790 animal units. He is proposing to construct a below ground, concrete liquid manure storage structure at his existing feedlot. The proposed structure will be 61 feet wide by 164 feet long and 8 feet deep. In addition, he will be expanding his feedlot, within the existing animal holding facilities, by adding 710 animal units in a sensitive area. The facility is located within 1,000 feet of a possible sinkhole. Manure will be stored in reinforced concrete pits located at the facility.

A copy of the Environmental Assessment Worksheet (EAW) will be posted on the Minnesota Pollution Control Agency website, at the following:

<http://www.pca.state.mn.us/news/eaw/index.html>. Written comments on the EAW should be submitted to Charles Peterson. A copy of the EAW may also be obtained by contacting Mary Osborn at 651-757-2101.

In addition to the EAW, the Minnesota Pollution Control Agency's draft National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit will also be available for public comment beginning June 11, 2012. The contact person for the NPDES/SDS Permit is Steven Schmidt at 507-206-2618.

**RGU:** Minnesota Pollution Control Agency

**Contact Person:** Charles Peterson, Planner Principal  
Environmental Review Unit – 4<sup>th</sup> Floor  
Resource Management and Assistance Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
651-757-2856  
[charles.peterson@state.mn.us](mailto:charles.peterson@state.mn.us)

EQB MONITOR

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  
520 Lafayette Road – 4<sup>th</sup> Floor  
St. Paul, MN 55155-4194  
Phone: 651-757-2873  
Fax: 651-297-2343  
<http://www.eqb.state.mn.us>

**Project Title: Lake Superior – Poplar River Water District**

**Description:** This project provides for the creation by the state legislature of a public rural water district (hereinafter the “District”) and the construction by the District of a water pipeline and water appropriation from Lake Superior to provide potable and raw water to residential, commercial, and government customers within the district.

**RGU:** Minnesota Department of Natural Resources (MDNR)

The MDNR will accept written comments on the Environmental Assessment Worksheet during the public review and comment period, which concludes Wednesday, July 11, 2012 at 4:30 p.m.

Written comments should be submitted to Randall Doneen, EAW Project Manager, Environmental Policy and Review Unit, Division of Ecological and Water Resources, Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota, 55155-4025. Electronic or e-mail comments may be sent to [Environmentalrev.dnr@state.mn.us](mailto:Environmentalrev.dnr@state.mn.us) with “Poplar River Water District EAW” in the subject line. If submitting comments electronically, please include your name and mailing address.

Public review copies of the EAW are available at the following locations:

- MDNR Library, 500 Lafayette Road, St. Paul, MN 55155
- MDNR Northeast Regional Headquarters 1201 East Highway 2  
Grand Rapids, MN 55744
- Minneapolis Public Library, Government Documents, 300 Nicollet Mall, Minneapolis, Minnesota, 55401
- Duluth Public Library, 520 W Superior St., Duluth, MN 55802
- Grand Marais Library, 104 2nd Avenue West Grand Marais, MN 55604

The EAW is also posted on the MDNR’s website at [www.dnr.state.mn.us](http://www.dnr.state.mn.us). (Click on “Public Input”, then under the “Environmental Review” scroll-down list select “Lake Superior – Poplar River Water District EAW”). Additional copies may be requested by calling (651) 259-5156.

**Project Title: Carlos Avery Brooder Shed Project**

**Description:** Four 1930’s era brooder sheds located within the National Register of Historic Places – listed Carlos Avery Wildlife Management Area Headquarters will be demolished by the Minnesota Department of Natural Resources (MDNR). One building will be repaired. Each building consists of a concrete slab, 10 steel-framed pens, and a wood-framed shelter.

**RGU:** Minnesota Department of Natural Resources

The MDNR will accept written comments on the Environmental Assessment Worksheet during the public review and comment period, which concludes Wednesday, July 11, 2012.

Written comments should be submitted to Jamie Schrenzel, EAW Project Manager, Environmental Policy and Review Unit, Division of Ecological and Water Resources, Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota, 55155-4025. Electronic or e-mail comments may be sent to [Environmentalrev.dnr@state.mn.us](mailto:Environmentalrev.dnr@state.mn.us) with “Carlos Avery EAW” in the subject line. If submitting comments electronically, please include your name and mailing address.

Public review copies of the EAW are available at the following locations:

- MDNR Library, 500 Lafayette Road, St. Paul, MN 55155
- MDNR Central Regional Headquarters, 1200 Warner Road, St. Paul, MN 55106
- Minneapolis Public Library, Government Documents, 300 Nicollet Mall, Minneapolis, Minnesota, 55401
- Hardwood Creek Library, 19955 Forest Road North, Forest Lake, MN 55025

The EAW is also posted on the MDNR’s website at [www.dnr.state.mn.us](http://www.dnr.state.mn.us). (Click on “Public Input”, then under the “Environmental Review” scroll-down list select “Carlos Avery Brooder Shed Project EAW”). Additional copies may be requested by calling (651) 259-5115.

**Project Title: CSAH 17 and CSAH 78 Reconstruction SP 070-617-022/ CP17-31**

**Description:** Scott County is proposing to reconstruct 1.6 miles along County State Aid Highway (CSAH) 17 and portion of CSAH 78 from a two-lane rural roadway to four-lane divided urban roadway in the City of Shakopee. The project will improve the safety, mobility, and capacity along the corridor. Project limits include CSAH 17 from 300’ south of Dominion Avenue to CSAH 16, CSAH 78 from Barrington Drive to Hillside Drive, approximately 550’ of Valley View Road (construction of new alignment) from CSAH 17 east and a new street to connection from Valley View Road to St. Francis Avenue.

**RGU:** Scott County

**Contact person:** Lisa Freese, AICP, Transportation Program Manager  
600 Country Trail East  
Jordan, MN 55352  
Phone: (952) 496-8363 / Fax (952) 496-8365  
E-mail: [LFreese@co.scott.mn.us](mailto:LFreese@co.scott.mn.us)

The closing date for comments is July 11, 2012, for consideration. Copies of the Environment Assessment/Environmental Assessment Worksheet documenting the purpose and need for the project, along with anticipated environmental impacts, is available for public viewing at the following locations:

- **Scott County - Central Shop**  
600 Country Trail East, Jordan, MN 55352-9339
- **Shakopee City Hall**  
129 South Holmes Street, Shakopee, MN 55379
- **Scott County Library System – Shakopee Branch**  
235 South Lewis Street, Shakopee, MN 55379

The EAW is also available on the project website (along with other project information) at: [www.co.scott.mn.us/highway17and78](http://www.co.scott.mn.us/highway17and78)

An open house/hearing for the project will be held on Tuesday, June 26, 2012 from 4:30 p.m. to 6 p.m. at In the County Board Room at the Scott County Government Center located at 200 Fourth Avenue West, Shakopee, Minnesota.

**Project Title: Minnehaha Creek Reach 20 Restoration**

**Description:** The Minnehaha Creek Watershed District (MCWD) is proposing a restoration of 4,563 linear feet of straightened channel of Minnehaha Creek within St. Louis Park. The project includes restoration of former channel sinuosity, improving stormwater filtration, updating canoe access, developing recreational trails and maximizing restored stream, wetland and riparian habitats along the creek within St. Louis Park. The creek restoration falls under criteria requiring a mandatory EAW.

The EAW is available for download from the City of St. Louis Park's website at: <http://www.stlouispark.org/development-planning-study.html>. Paper copies of the EAW are available at St. Louis Park City Hall in the Planning Division, 5005 Minnetonka Boulevard, St. Louis Park, Minnesota, or at the Minnehaha Creek Watershed District Offices, 18202 Minnetonka Boulevard, Deephaven, Minnesota.

Comments on the EAW may be provided via written correspondence, email, or telephone, to the contacts below:

**RGU:** City of St. Louis Park

**Contact Persons:**

Adam Fulton, Planner  
City of St. Louis Park  
5005 Minnetonka Boulevard  
St. Louis Park, MN 55416  
[afulton@stlouispark.org](mailto:afulton@stlouispark.org)  
952-928-2841

James Wisker, Director of Planning  
Minnehaha Creek Watershed District  
18202 Minnetonka Boulevard  
Deephaven, MN 55391  
[JWisker@minnehahacreek.org](mailto:JWisker@minnehahacreek.org)  
952-641-4509

**Project Title: Lilydale Regional Park Master Plan Implementation Project**

**Description:** The approved Master Plan Amendment for Lilydale Regional Park works to protect and enhance natural resources in Lilydale Regional Park. Master plan elements include roadway and trail realignment, picnic shelter, restrooms, dog park, Pickerel Lake access, environmental remediation of dump sites and enhancement of fossil ground trailhead.

Copies of the Environmental Assessment Worksheet (EAW) are available for public viewing beginning June 11<sup>th</sup> during regular business hours at the following locations:

Riverview Central Library  
1 East George Street  
Saint Paul, MN 55107

Central Library  
90 West Fourth Street  
Saint Paul, MN 55102

A copy of the EAW may also be obtained by contacting Alice Messer listed below.

A public meeting to receive comment on the EAW is scheduled for Monday, June 18, 2012 from 6:30 to 8:00 p.m. at the Wellstone Community Center (179 Robie Street East, Saint Paul, MN 55107). The 30-day written comment period will be open from June 11 – July 11, 2012. Comments should be submitted to the contact person listed below. For additional information about Lilydale Regional Park visit [www.stpaul.gov/parks](http://www.stpaul.gov/parks) and click on Current Projects.

**RGU:** City of St. Paul Department of Parks and Recreation

**Contact Person:** Alice Messer  
25 West 4th Street, Suite 400  
Saint Paul, Minnesota 55102  
Telephone: 651-266-6412  
Facsimile: 651-292-7405  
[Alice.Messer@ci.stpaul.mn.us](mailto:Alice.Messer@ci.stpaul.mn.us)

## 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 Roseville, Proposed Walmart Store at County Road C and Cleveland Avenue, EAW denied, Exempt
- City of Andover, Proposed 150,000 Square Foot Retail Development at 1851 Bunker Lake Boulevard, EAW 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, Worthington Industrial Park Sanitary Sewer Extension, Worthington, MN, June 4, 2012 (April 16, 2012)

## EIS SCOPING EAW

*EIS Scoping EAW Comment Deadline: July 25, 2012*

**Project Title:** Veolia Environmental Services Rolling Hills Mixed Municipal Solid Waste Landfill Project, Wright County

**Description:** Veolia Environmental Services Rolling Hills Landfill, Inc. proposes to construct a new 72-acre mixed municipal solid waste (MSW) landfill area on existing Veolia property adjacent to the active industrial solid waste disposal area at the Veolia Rolling Hills Landfill Facility located in Wright County, Minnesota. The project includes phased construction of lined cells, leachate recirculation and disposal

structures, active gas collection including a gas burning flare, a landfill surface water management system, and wetland mitigation and conservation areas. The project is designed to accept mixed MSW, which includes residential, commercial, and Minnesota Pollution Control Agency-approved industrial solid waste, and construction and demolition debris.

The preparation of an Environmental Impact Statement is mandatory. A copy of the Scoping Environmental Assessment Worksheet (EAW) and draft Scoping Decision Document (SDD) will be posted on the Minnesota Pollution Control Agency website, at the following: <http://www.pca.state.mn.us/news/eaw/index.html>. Written comments on the Scoping EAW and draft SDD should be submitted to Nancy Drach. A copy of the Scoping EAW may also be obtained by contacting Mary Osborn at 651-757-2101.

The Minnesota Pollution Control Agency will host a public scoping meeting on July 9, 2012, from 7:00-9:00 p.m. at the Rockford Township Hall located at 3039 Dague Avenue SE, Buffalo, Minnesota, 55313.

**RGU:** Minnesota Pollution Control Agency

**Contact Person:** Nancy Drach, Planner Principal  
Environmental Review Unit – 4<sup>th</sup> Floor  
Resource Management and Assistance Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
651-757-2317  
[nancy.drach@state.mn.us](mailto:nancy.drach@state.mn.us)

## SCOPING DECISION AND EIS PREPARATION NOTICE

**Project Title:** Bottineau Transitway Project

**Description:** The Bottineau Transitway is a proposed project that will provide for transit improvements in the highly traveled northwest area of the Twin Cities. The Bottineau Transitway is located in Hennepin County, Minnesota, extending approximately 13 miles from downtown Minneapolis to the northwest serving north Minneapolis and the suburbs of Golden Valley, Robbinsdale, Crystal, New Hope, Brooklyn Park, Maple Grove and Osseo.

Federal Transit Administration (FTA), HCRRA and the Metropolitan Council have initiated the environmental review process for the Bottineau Transitway Project. Federal funding for this project may be pursued through the FTA New Starts Program. As a result, FTA – designated as the lead federal agency for this project – is choosing to undertake environmental review in compliance with the National Environmental Policy Act (NEPA). As the local public agencies sponsoring the project, the HCRRA and the Metropolitan Council must also comply with the requirements of the Minnesota Environmental Policy Act (MEPA). HCRRA is the RGU under Minnesota Rules Chapter 4410.0500 for the Draft EIS. FTA and HCRRA have determined that the Bottineau Transitway project may have significant impacts. To satisfy both federal and state requirements, an Environmental Impact Statement (EIS) is being prepared for the Bottineau Transitway project.

A Scoping Booklet was prepared, noticed in the Environmental Quality Board (EQB) Monitor on December 26, 2011, and distributed to the EQB EIS distribution list, along with numerous other interested parties. The comment period was open from December 26, 2011 to February 17, 2012 and during that time four formal public Scoping meetings were held. A separate Interagency Scoping Meeting for governmental agencies was also held.

Since the close of the comment period on February 17, 2012, HCRRA in consultation with the Metropolitan Council and the FTA, has been reviewing the technical analysis completed and comments received and working through the project advisory committees established for the Bottineau Transitway. Specifically, the Advise, Review and Communicate Committee (ARCC), Community Advisory Committee (CAC) and the Policy Advisory Committee (PAC). The ARCC provided input to the PAC on the Scoping Decision in late April 2012. The PAC passed an advisory resolution to the HCRRA regarding the scoping decision on April 23 2012, and the HCRRA, acting as both the project proposer and RGU for the proposed action passed a scoping decision resolution on May 8, 2012. Since the action by the RGU on May 8, HCRRA and Met Council have been in consultation with the FTA, the lead federal agency regarding the local scoping decision.

Based on public and agency input and additional technical analysis, HCRRA has determined that the following alternatives will be evaluated in the Draft Environmental Impact Statement (Draft EIS):

- No-Build Alternative
- Transportation System Management (TSM) Alternative
- Four light rail transit (LRT) alternatives on various alignments (A-C-D1, A-C-D2, B-C-D1, and B-C-D2)

A bus rapid transit (BRT) Alternative will not be studied in the Draft EIS.

In addition to the identification of alternatives advanced for further evaluation in the Draft EIS, the Bottineau Transitway Scoping Decision Document includes information in compliance with Minn. R. 4410.2100, subp. 6.

The Scoping Decision Document and EIS Preparation Notice will be distributed to the EQB Distribution list and will also be posted on the Bottineau Transitway website, [www.bottineautransitway.org](http://www.bottineautransitway.org). A press release will also be provided to at least one newspaper of general circulation within Hennepin County.

**RGU:** Hennepin County Regional Railroad Authority (HCRRA)

Questions or comments may be directed to:

**Contact Person:** Brent Rusco  
Bottineau Transitway Project Manager  
Hennepin County  
701 Fourth Avenue South, Suite 400  
Minneapolis, Minnesota 55415  
Phone: 612-543-0579  
Email: [brent.rusco@co.hennepin.mn.us](mailto:brent.rusco@co.hennepin.mn.us)  
Fax: 612-348-9710

Written materials, project updates, and materials used at the public Scoping meetings are available on the Bottineau Transitway project website noted above.



## DRAFT EIS AVAILABLE

### Project Title: Proposed South Mine, Kasota Township, Le Sueur County, Minnesota

**Description:** The Le Sueur County Board of Commissioners announces that a Draft Environmental Impact Statement (DEIS) has been prepared for the Proposed South Mine and is available for public comment. Unimin Corporation proposes the continuation of open pit non-metallic mineral mining of the Jordan Sandstone to produce industrial sand. Blasting, crushing, dewatering, size classification, and reclamation activities will occur on approximately 1,188.06 acres located in parts of sections 5, 6, 7, 8, 17, 18; & 12, Kasota Township (T109N, R26W; 27W), Le Sueur County, Minnesota. Current land cover includes row-crop agriculture, pasture, wetlands, natural area, residential, and a Public Water Wetland.

Copies of the DEIS are available for public review at the Le Sueur County Environmental Services office: 515 South Maple Avenue, Le Center; the MN Valley Regional Library Reference Department: 100 E Main St., Mankato; and the Saint Peter Public Library: 601 South Washington Avenue, Saint Peter. A copy of the DEIS will also be posted during the comment period on the Le Sueur County website: <http://www.co.le-sueur.mn.us>.

A public informational meeting will be held on Monday, July 9th, at 6:30 pm, at the Le Sueur County Planning and Zoning office, 515 South Maple Avenue, Le Center.

**All comments must be submitted in writing by 4:30 pm, Monday, July 23rd.**

**Contact Person:** Kathy Brockway  
Planning & Zoning Administrator  
Le Sueur County  
88 South Park Avenue  
Le Center, MN 56057  
Phone (507) 357-2251  
[kbrockway@co.le-sueur.mn.us](mailto:kbrockway@co.le-sueur.mn.us)

## NOTICES

### STATE OF MINNESOTA DEPARTMENT OF NATURAL RESOURCES

**Issued: June 4, 2012**

#### **Notice of Availability of Draft Comprehensive Conservation Management Plan for Federal Lands Known as Beltrami Island Land Utilization Project, in Beltrami, Roseau, and Lake-of-the-Woods Counties**

The Minnesota Department of Natural Resources, in conjunction with the U.S. Fish and Wildlife Service, is releasing a Draft Comprehensive Conservation Management Plan for over 84,000 acres of leased federal lands known as the Beltrami Island Land Utilization Project (LUP). LUP lands were designated as “a refuge and breeding ground for native birds and other wildlife” by Executive Order 9091 in 1942. The LUP lands are scattered among state lands in the Beltrami Island State Forest, Red Lake Wildlife Management Area, Hayes Lake State Park, and three peatland Scientific and Natural Areas.

The Department is accepting public comments on the Draft Comprehensive Conservation Management Plan from June 11, 2012 through July 25, 2012.

A Public Open House is scheduled for June 27, 2012 from 4-8 pm at the DNR's Warroad Area Forestry Office, 804 Cherne Dr. NW, Warroad. There will be a short presentation, a question and answer session, and an opportunity to provide oral or written comments.

A copy of the plan may be obtained by 1) contacting Project Consultant Michael R. North (see contact information below); 2) downloading it from the project website: [www.beltramiisland.info](http://www.beltramiisland.info); 3) stopping by the Red Lake WMA Office at Norris Camp, the Warroad Area Forestry Office, the Baudette Area Wildlife Office, or Agassiz National Wildlife Refuge. Printed copies have also been distributed to public libraries in Baudette, Warroad, Roseau, Bemidji, Crookston, and East Grand Forks.

**Project Contact:** Michael R. North, Project Consultant  
Minnesota DNR  
1601 Minnesota Drive  
Brainerd, MN 56401  
Phone: 218-833-8623  
Fax: 218-828-6022  
E-mail: [Michael.north@state.mn.us](mailto:Michael.north@state.mn.us)

To comment, send letter, email, or completed comment card to Michael North by July 26, 2012.

## MINNESOTA DEPARTMENT OF COMMERCE

### Notice of Availability of Environmental Report

#### In the Matter of the Certificate of Need Application for the Ellerth Windpark Project

**PUC Docket Number: IP6855/CN-11-112**

**PLEASE TAKE NOTICE** that Minnesota Department of Commerce Energy Facility Permitting (EFP) staff has completed an environmental report (ER) for the proposed project. The ER analyzes the potential human and environmental impacts of the proposed project and alternatives to the project.

The ER, and all material constituting the official record for the certificate of need, can be found on the eDockets system at: <https://www.eDockets.state.mn.us/EFiling/search.jsp>; search on the year "11" and number "112."

Electronic versions of the ER and selected other documents relevant to this matter are available for viewing on the Department's energy facility permitting website: <http://mn.gov/commerce/energyfacilities/Docket.html?Id=32308>.

The ER will also be available at the locations noted below:

<b>Godel Memorial Library</b> 314 East Johnson Warren, MN 56762	<b>Newfolden Community Center</b> 145 East First Street Newfolden, MN 56738
<b>Marshall County Auditor's Office</b> 208 East Colvin Warren, MN 56762	Clerks in Wright, West Valley, Foldahl, Marsh Grove, Comstock, and Viking Townships
<b>Thief River Falls Public Library</b> 102 Main Avenue South Thief River Falls 56701	

**Project Description.** Anywhere from 61 to 43 turbines would be used for the Ellerth Windpark Project, this number depends on the size and model of turbine selected. The three turbines under consideration (General Electric 1.6 MW, Vestas 1.8 MW V90, and Siemens 2.3 MW SWT – 101) vary in size and capacity. However, the total nameplate capacity would be limited to 98.9 MW.

Tower heights would range from 262 to 328 feet (80 to 100 meters), with rotor diameters of 295 to 331 feet (90 to 101 meters), for a total height of 426.5 to 493.8 feet (125 to 150 meters). Associated project facilities would include tower foundations, turbine access roads, step up transformers, electric feeder and collection lines, a supervisory control and data acquisition (SCADA) system, an operations and maintenance (O&M) building, permanent meteorological towers, and a project substation.

The project is located approximately two miles west of the community of Newfolden and four miles north of Viking in portions of the townships of Wright (Sections E½ SE¼ 36), West Valley (S1/2 30, 31-35), Foldahl (1, 2, 11-13, 24, 25, 36), Marsh Grove (1-13, 19-23, 26-35), Comstock (1), and Viking (2-6) in Marshall County. The project area encompasses approximately 33,709 acres of mostly agricultural land. Ellerth Wind currently has agreements with landowners over approximately 18,870 acres of private land within the project area.

**Project Contacts.** If you have questions or would like further information about this project, please contact:

***Department of Commerce – Environmental Review***

Larry B. Hartman, State Permit Manager  
Minnesota Department of Commerce  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198  
(651) 296-5089, [larry.hartman@state.mn.us](mailto:larry.hartman@state.mn.us)

Jamie MacAlister, Public Advisor  
Minnesota Department of Commerce  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198  
(651) 297-1335, [jamie.macalister@state.mn.us](mailto:jamie.macalister@state.mn.us)

***Public Utilities Commission – Certificate of Need Process***

Bret Eknes  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East  
St. Paul, MN 55101  
(651) 201-2236, [bret.eknes@state.mn.us](mailto:bret.eknes@state.mn.us),

***Applicant***

Brett O'Connor, Ellerth Wind  
381 Rue Notre-Dame West, Suite 102  
Montreal, QC, H2Y 1V2  
Tel: 514-842-1923  
[brett.oconnor@tcir.net](mailto:brett.oconnor@tcir.net)

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-296-0391 (voice). Persons with hearing or speech disabilities may reach the Department through Minnesota Relay at 1-800-627-3529 or by dialing 711.

the PBA comport in all respects with Federal law.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 315; 23 CFR 771.123.

Issued on: January 4, 2012.

**Jonathan D. McDade,**

*Division Administrator, Federal Highway Administration, Albany, New York.*

[FR Doc. 2012-296 Filed 1-9-12; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in Utah

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and other Federal agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed transportation corridor project (Provo Westside Connector) in Provo, Utah County in the State of Utah. These actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the FHWA actions on the highway project will be barred unless the claim is filed on or before July 8, 2012. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For FHWA: Mr. Edward Woolford, Environmental Program Manager, Federal Highway Administration, 2520 West 4700 South, Suite 9A, Salt Lake City, Utah 84129; telephone (801) 955-3524; email: [Edward.Woolford@dot.gov](mailto:Edward.Woolford@dot.gov). The FHWA Utah Division's regular business hours are Monday through Friday, 7:30 a.m. to 4:30 p.m. MST.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following highway project in the State of Utah: the Provo

Westside Connector in Provo, Utah County, Utah, project number FHWA-UT-EIS-10-01-F. Federal Lead Agency: Federal Highway Administration.

**Project description:** The Selected Alternative (1860 South Alternative) implements a transportation project consisting of: (1) A new arterial roadway from the Interstate 15 interchange located at 1860 South/University Avenue (the Interchange) to 3110 West Street near the entrance to the Provo Airport (Mike Jense Parkway) in Provo; (2) three-way intersections located at 500 West, 1100 West, and Mike Jense Parkway; (3) the typical cross-section for the roadway consists of a total of five travel lanes: two travel lanes in each direction, and a center turn lane median, a 2-foot paved shoulder on each side, curb and gutter on the north side of the roadway, and a 10-foot paved trail on the south side of the roadway separated from the paved roadway by a 9-foot vegetated drainage swale (without curb and gutter); (4) three (3) parking pull-out locations are planned for trail access. One of these, at 500 West, replaces and improves an existing recreational access maintained by the Utah Division of Wildlife Resources; and an unpaved roadway accesses would be provided for private and public land parcels south of the roadway.

The actions by the FHWA and other Federal agencies, and the laws under which such actions were taken, are described in the FEIS for the project, approved on October 12, 2011, in the FHWA Record of Decision (ROD) issued on January 3, 2012, and in other documents in the FHWA administrative record. The FEIS, ROD, and other documents in the FHWA administrative record are available by contacting the FHWA at the address provided above. The FHWA FEIS and ROD can be viewed and downloaded from the project Web site at <http://www.provowestsideconnector.com> or viewed at public libraries in the project area.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128];
2. *Air:* Clean Air Act [42 U.S.C. 7401-7671(q)];
3. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303];
4. *Wildlife:* Endangered Species Act [16 U.S.C. 1531-1544 and Section

1536]; Migratory Bird Treaty Act [16 U.S.C. 703-712];

5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*];

6. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209];

7. *Wetlands and Water Resources:* Safe Drinking Water Act [42 U.S.C. 300f *et seq.*]; TEA-21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood disaster Protection Act [42 U.S.C. 4001-129]. Executive Orders: E.O. 11990, Protection of Wetlands; E.O. 11988, Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 13175, Consultation and Coordination with Indian Tribal Governments; E.O. 13112, Invasive Species. Nothing in this notice creates a cause of action under these Executive Orders.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: January 4, 2012.

**James C. Christian,**

*Division Administrator, Salt Lake City.*

[FR Doc. 2012-292 Filed 1-9-12; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Intent To Prepare an Environmental Impact Statement on the Bottineau Transitway Project From Minneapolis to Maple Grove in Hennepin County, MN

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Notice of intent to prepare an environmental impact statement (EIS).

**SUMMARY:** The FTA, as the lead federal agency, the Hennepin County Regional Railroad Authority (HCRRRA), and the Metropolitan Council intend to prepare an EIS for the proposed Bottineau Transitway project located along the Bottineau Transitway Corridor in Hennepin County, Minnesota. The proposed transitway, approximately 13 miles long, would connect downtown Minneapolis with North Minneapolis

and the northwest suburbs of the Twin Cities. The transitway would originate in Minneapolis near the existing Target Field Station, where several existing transit lines converge, and would extend to the following suburbs: Robbinsdale, Golden Valley, Crystal, New Hope, Brooklyn Park, Maple Grove, and Osseo. The EIS will be prepared in accordance with Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA) and pursuant to the Council on Environmental Quality's regulations (40 Code of Federal Regulations [CFR] parts 1500–08), as well as provisions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU). The purpose of this notice is to alert interested parties of the intent to prepare the EIS; provide information on the proposed transit project; invite public participation in the EIS process, including comments on the scope of the EIS proposed in this notice; and serve as an announcement of public and agency scoping meetings.

**DATES:** Written comments on the scope of the EIS should be sent to Brent Rusco, Bottineau Transitway Project Manager, on or before February 17, 2012. See **ADDRESSES** below for the locations to which written comments may be submitted. Public scoping meetings will be held on the following dates, in order to solicit input on the scope of the EIS:

- January 23, 2012, from 4:30 to 6:30 p.m., at the Theodore Wirth Chalet, 1301 Theodore Wirth Parkway, Minneapolis, Minnesota.
- January 24, 2012, from 6 to 8 p.m., at Brooklyn Park City Hall, 5200 85th Avenue North, Brooklyn Park, Minnesota.
- January 25, 2012, from 5:30 to 7:30 p.m., at the Urban Research and Outreach/Engagement Center (UROC), 2001 Plymouth Avenue North, Minneapolis, Minnesota.
- January 31, 2012, from 6 to 8 p.m., at the Robbinsdale City Hall, 4100 Lakeview Avenue North, Robbinsdale, Minnesota.

An interagency scoping meeting for agencies with interest in the project will be held on the following date:

- January 19, 2012, from 9 to 11 a.m., at the Kimley-Horn and Associates office, 2550 University Avenue West, Suite 238N, St. Paul, Minnesota.

All the scoping meetings will be accessible to persons with disabilities. If special translation or signing services or other special accommodations are needed, please contact Brent Rusco (see **ADDRESSES** below) at least 48 hours prior to the meeting. Project information outlining the project purpose and need,

as well as alternatives proposed for analysis, will be available in the form of a scoping information packet, at the meetings and on the project Web site: <http://bottineautransitway.org>. Paper copies of the information may also be obtained from Brent Rusco [see **ADDRESSES** below].

**ADDRESSES:** Comments on the scope of the EIS will be accepted at the scoping meetings, or written comments should be sent to Brent Rusco, Bottineau Transitway Project Manager, Hennepin County, 701 Fourth Avenue South, Suite 400, Minneapolis, MN 55415, Phone: (612) 543–0579, Email: [Brent.rusco@co.hennepin.mn.us](mailto:Brent.rusco@co.hennepin.mn.us), Fax: (612) 348–9710.

**FOR FURTHER INFORMATION CONTACT:** Lois Kimmelman, Environmental Protection Specialist, FTA Region V, Chicago, Illinois, (312) 353–4060; or Bill Wheeler, Community Planner, FTA Region V, Chicago, Illinois, (312) 353–2639.

**SUPPLEMENTARY INFORMATION:**

**Scoping**

The FTA, HCRRA, and the Metropolitan Council invite all interested individuals and organizations, public agencies, and Native American Tribes to comment on the scope of the EIS for the proposed Bottineau Transitway, including the project's purpose and need, the alternatives to be studied, the environmental impacts to be evaluated, and the evaluation methods to be used. Comments should address: (1) Feasible alternatives that may better achieve the project's purpose and need with fewer adverse impacts, and (2) any significant impacts relating to the alternatives.

"Scoping," as described in the regulations implementing NEPA (Title 40 of CFR 1501.7) has specific and fairly limited objectives, one of which is to identify the significant issues associated with alternatives that will be examined in detail in the document, while simultaneously limiting consideration and development of issues that are not truly significant. It is during the NEPA scoping process that potentially significant environmental impacts—those that give rise to the need to prepare an EIS—should be identified. Impacts that are deemed not to be significant need not be developed extensively in the context of the EIS, thereby keeping the EIS focused on impacts of consequence consistent with the ultimate objectives of the NEPA implementing regulations: "to make the environmental impact statement process more useful to decision makers and the public; and to reduce paperwork and

the accumulation of extraneous background data, in order to emphasize the need to focus on real environmental issues and alternatives \* \* \* [by requiring] impact statements to be concise, clear, and to the point, and supported by evidence that agencies have made the necessary environmental analyses." (Executive Order 11991 of May 24, 1977.)

Once the scope of the EIS is defined, and significant environmental issues to be addressed have been identified, an annotated outline of the EIS will be prepared that: (1) Documents the results of the scoping process, (2) contributes to the transparency of the process, and (3) provides a clear roadmap for concise development of the EIS.

**Purpose and Need for the Project**

The purpose of the Bottineau Transitway is to provide transit service which will satisfy the long-term regional mobility and local accessibility needs for businesses and the traveling public. Residents and businesses in the Bottineau Transitway project area need access to the region's activity centers to fully participate in the region's economy. Access to jobs in Minneapolis, St. Paul, the University of Minnesota, and the growing Minneapolis suburbs is crucial. Traffic congestion is expected to intensify in the Twin Cities Metropolitan Area through 2030 and beyond, and it cannot be addressed by highway construction alone. Current transit service in the Bottineau Transitway offers a limited number of viable alternatives to personal vehicles. Without major transit investments, it will be difficult to effectively meet the transportation needs of people and businesses in the corridor, manage highway traffic congestion in the project area, and achieve the region's 2030 Transportation Policy Plan (TPP) goal of doubling transit ridership by 2030.

Five factors contribute to the need for the Bottineau Transitway project:

- Growing travel demand resulting from continuing growth in population and employment.
- Increasing traffic congestion and limited funding.
- Growing numbers of people who depend on transit.
- Limited transit service to suburban jobs (reverse commute opportunities) and travel-time competitive transit options.
- Regional objectives for growth.

**Project Location of Environmental Setting**

The project is located in Hennepin County, Minnesota, and includes

downtown Minneapolis, Minnesota, and its northwest suburbs, including Robbinsdale, Golden Valley, Crystal, New Hope, Brooklyn Park, Maple Grove, and Osseo.

#### Possible Alternatives

The Bottineau Transitway Alternatives Analysis (AA) Study was completed by HCRRA in March 2010. The AA Study evaluated a no-build alternative and a broad range of build alternatives, including an enhanced bus/transportation system management alternative, as well as commuter rail, light rail transit (LRT), and bus rapid transit (BRT) alternatives. The study progressively narrowed down the build alternatives to a set of 21 alternatives which underwent detailed evaluation. The AA Study is posted on the project Web site.

The following alternatives are currently under consideration for further study in the EIS:

**No-Build Alternative.** The No-Build alternative serves as the baseline against which environmental effects of the Bottineau Transitway build alternatives are measured. It is defined as the existing transportation system in the Bottineau Transitway Corridor, plus any committed transportation improvements in the region, *i.e.*, those roadway, transit facility, and service improvements that are planned, programmed, and included in the TPP, and that are to be implemented by the year 2030. The No-Build Alternative does not include the Bottineau Transitway project. It does include major regional transit projects such as the Green Line (Central Corridor LRT and Southwest Transitway LRT), Red Line (Cedar Avenue BRT), and the Orange Line (I-35W BRT), as well as minor transit service expansions and/or adjustments in order to continue existing Metropolitan Council service policies.

**Enhanced Bus/Transportation Systems Management (TSM) Alternative.** The TSM alternative is defined as enhancements and upgrades to the existing transportation system in the Bottineau Transitway Corridor, such that the project's purpose and need would be met as much as possible without a major capital investment. The TSM alternative could include bus route restructuring, scheduling improvements, new express and limited-stop services, intersection improvements, and other focused infrastructure improvements that would heighten the functioning of the current transit system. The specific combination of improvements to be incorporated into this alternative will be developed during EIS process.

**Light Rail Transit (LRT) Alternatives.** All LRT alternatives would include several station stops between downtown Minneapolis and the Maple Grove/Brooklyn Park area. These alternatives, which would follow West Broadway, the Burlington Northern Santa Fe (BNSF) rail corridor, and Olson Memorial Highway and/or Penn Avenue, would include tracks, stations and support facilities, as well as transit service for LRT and connecting bus routes.

**Bus Rapid Transit (BRT) Alternative.** The BRT alternative would include a busway in its own dedicated space (guideway) with several stations between downtown Minneapolis and the Brooklyn Park area. This alternative, which would follow West Broadway, the BNSF rail corridor, and Olson Memorial Highway, would include all facilities associated with the construction and operation of BRT, including right-of-way, travel lanes, stations, and support facilities, as well as transit service for BRT and connecting bus routes.

#### Possible Effects

The purpose of the EIS process is to study, in a public setting, the potentially significant effects of the proposed project on the quality of the human environment. Primary areas of investigation for this project include, but are not limited to: Land use and economic development; land acquisition, displacements, and relocation; neighborhood cohesion and environmental justice; historic resources; parklands; visual and aesthetic qualities; air quality; water quality, wetlands, and floodplains; wildlife/endangered species and ecosystems; noise; vibration; hazardous materials affected by demolition and construction activities; traffic circulation and transportation linkages; parking; pedestrian and bicycle connections; energy use; and safety and security. Effects will be evaluated in the context of both short-term construction and long-term operation of the proposed project. Direct project effects as well as indirect and cumulative effects on the environment will be addressed. The environmental analysis may reveal that the proposed project will not affect, or affect substantially, many of the primary areas of investigation. However, if any adverse impacts are identified, measures to avoid, minimize, or mitigate those adverse effects will be proposed.

#### Procedures for Public and Agency Involvement

The regulations implementing NEPA, as well as provisions of SAFETEA-LU,

call for public involvement in the EIS process. Section 6002 of SAFETEA-LU (23 U.S.C. 139) requires that FTA, HCRRA, and the Metropolitan Council do the following: (1) Extend an invitation to other federal and non-federal agencies and Native American tribes that may have an interest in the proposed project to become "participating agencies;" (2) provide an opportunity for involvement by participating agencies and the public to help define the purpose and need for proposed project, as well as the range of alternatives for consideration in the EIS; and (3) establish a plan for coordinating public and agency participation in, and comment on) the environmental review process. An invitation to become a participating or cooperating agency, with scoping materials appended, will be extended to other federal and non-federal agencies and Native American tribes that may have an interest in the proposed project. It is possible that FTA, HCRRA, and the Metropolitan Council will not be able to identify all federal and non-federal agencies and Native American tribes that may have such an interest. Any federal or non-federal agency or Native American tribes interested in the proposed project that does not receive an invitation to become a participating agency should notify at the earliest opportunity the Project Manager identified above under **ADDRESSES**.

A comprehensive public involvement program for public and agency involvement will be developed for the project and posted on the project Web site. The public involvement program includes a full range of activities including maintaining the project Web site, and outreach to local officials, community and civic groups, and the general public.

#### Paperwork Reduction

The Paperwork Reduction Act seeks, in part, to minimize the cost to the taxpayer of the creation, collection, maintenance, use, dissemination, and disposition of information. Consistent with this goal and with principles of economy and efficiency in government, it is FTA policy to limit insofar as possible distribution of complete printed sets of environmental documents. Accordingly, unless a specific request for a complete printed set of environmental documents is received before the document is printed, at the latest, FTA and its grantees will distribute only the executive summary of environmental documents in printed form together with a compact disc (CD) that contains the complete environmental document. A complete

printed set of the environmental documents will be available for review at the grantee's offices and elsewhere; an electronic copy of the complete environmental document will also be available on the grantee's Web site.

**Other**

The EIS will be prepared in accordance with NEPA and its implementing regulations issued by the Council on Environmental Quality (40 CFR parts 1500–1508), and with the FTA/Federal Highway Administration

regulations "Environmental Impact and Related Procedures" (23 CFR part 771).

Issued on: January 5, 2012.

**Marisol Simon,**

*Regional Administrator, FTA, Region V.*

[FR Doc. 2012–264 Filed 1–9–12; 8:45 am]

**BILLING CODE P**



# Bottineau Transitway Public Meetings



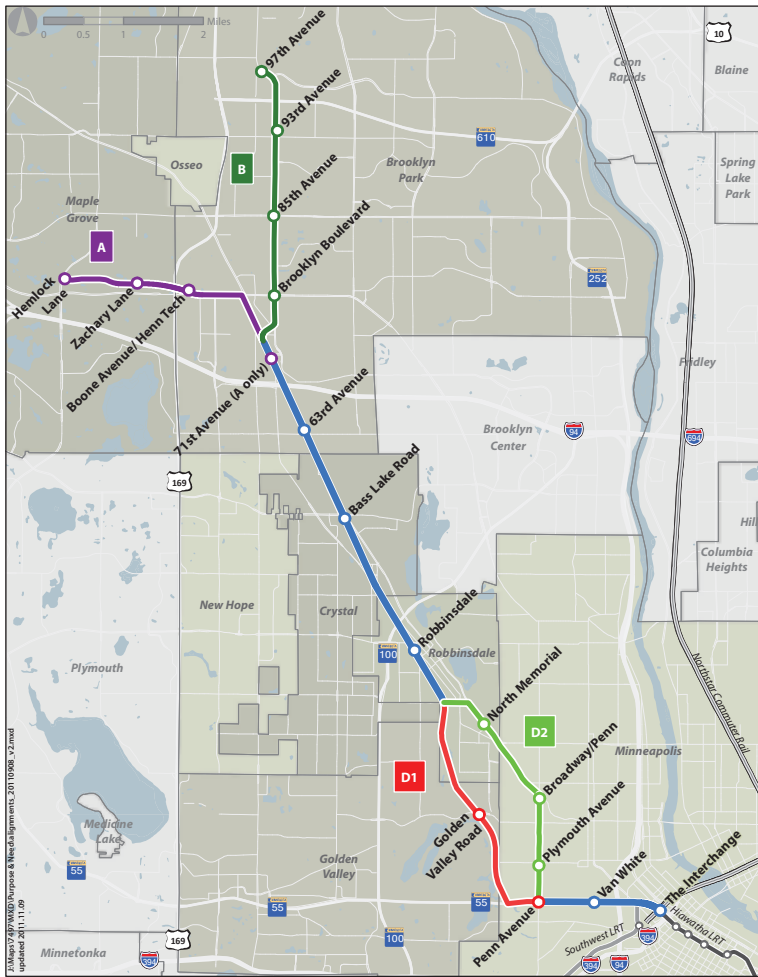
DRAFT ENVIRONMENTAL IMPACT STATEMENT

If you are interested in the **Bottineau Transitway project**, we encourage you to take part in the **Scoping process**. Project planners are especially interested in your input on:

- Purpose and need for the project
- The alternatives proposed for study
- Project impacts or benefits that should be evaluated

There are several ways for you to participate and for your voice to be heard.

You can attend a meeting to learn more about the Scoping process and to share your thoughts about the project.



**Formal public Scoping meetings are scheduled for the following dates and locations:**

## Scoping Open House #1:

Monday, January 23rd  
4:30 to 6:30 PM

[Theodore Wirth Chalet](#)

1301 Theodore Wirth Parkway, Minneapolis

## Scoping Open House #2:

Tuesday, January 24th  
6:00 to 8:00 PM

[Brooklyn Park City Hall](#)

5200 85th Avenue N, Brooklyn Park

## Scoping Open House #3:

Wednesday, January 25th  
5:30 to 7:30 PM

Urban Research and Outreach/Engagement Center ([UROC](#))

2001 Plymouth Avenue N, Minneapolis

## Scoping Open House #4:

Tuesday, January 31st  
6:00 to 8:00 PM

[Robbinsdale City Hall](#)

4100 Lakeview Avenue N, Robbinsdale

You can submit comments in writing, by U.S. mail, e-mail, or fax, to:

Brent Rusco

Bottineau Transitway Project Manager

Hennepin County

701 Fourth Avenue South, Suite 400

Minneapolis, MN 55415

Phone: 612.543.0579

Email: [brent.rusco@co.hennepin.mn.us](mailto:brent.rusco@co.hennepin.mn.us)

Fax: 612.348.9710

Comments may also be submitted directly via the Bottineau Transitway website, [www.bottineautransitway.org](http://www.bottineautransitway.org).

**The scoping period closes on February 17, 2012. All comments must be received by that date.**

## Why attend?

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This open house will focus specifically on the updated LRT alignment options under consideration for Penn and Oliver Avenues between West Broadway Avenue and Olson Highway in Minneapolis.

These alignments could affect a range of streets in the area between Queen and Oliver Avenues.

We want to hear your thoughts and opinions in order to select a preferred Segment D2 sub-option to move forward.

Your comments will be compiled and shared with members of the project Policy Advisory Committee.

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## Agenda:

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- 5:00 Open house
  - 6:00 Presentation
  - 7:10 Q&A
  - 7:25 Open house
  - 8:00 Adjourn
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During the open house, review updated concept plans. Project staff will be available to provide information and engage in discussion about the options.

A presentation of the results of technical analysis on the various options will begin at 6:00 p.m.

For more information:  
[www.bottransit.org](http://www.bottransit.org)  
[bottineau@co.hennepin.mn.us](mailto:bottineau@co.hennepin.mn.us)



## Segment D2 Open House

*Share your thoughts on updated LRT alignment options for Penn and Oliver Avenues in North Minneapolis*



Thursday, October 6, 2011  
5:00 p.m. to 8:00 p.m.

Urban Research & Outreach-  
Engagement Center (UROC)  
2001 Plymouth Ave N  
Minneapolis, MN 55411



**Hennepin County**  
Regional Railroad Authority

# Bottineau Transitway

DRAFT ENVIRONMENTAL IMPACT STATEMENT

## Segment D2 Open House

