



Cambridge Area DNR Office
800 Oak Savanna Lane SW
Cambridge, MN, 55008

January 18, 2023

Erik Heinen
Environmental and Sustainability Administrator
Great River Energy
12300 Elm Creek Boulevard
Maple Grove, MN 55369

RE: DNR suspension of 6/23/2022 Permitting Amendment allowing new water-use to be added to DNR Appropriation Permit 2007-0405.

Dear Mr. Heinen,

We are suspending the June 23rd, 2022, permit amendment to your DNR Permit 2007-0405 that authorizes water appropriation for air emissions control for a combustion engine at the Great River Energy facility in Cambridge, MN. As you are aware, no new or increase in pump rate or water appropriation was requested or authorized through this amendment. Rather, Permit 2007-0405 only authorizes a new water use type called “other special categories” for the air emissions control system.

The previously issued permit amendment on June 23, 2022 is suspended until the on-going environmental review process associated with the proposed Great River Energy project to construct a 170 MW, oil-and-gas-fired dual fuel simple cycle combustion turbine generator near Cambridge, Isanti County, Minnesota, is completed. Upon completion of the environmental review process, Great River Energy may request that the suspension of the amendment be removed. The DNR received your permit amendment request from Great River Energy to modify DNR Permit 2007-0405 prior to a petition being received by the Environmental Quality Board (EQB). However, DNR mistakenly approved the amendment action, to add the additional water use type with no other permit modifications, after the petition was received and while the Prohibition on Governmental Actions was in effect. The DNR was unaware of the petition received by the EQB at the time of the authorization.

Minnesota Statutes 116D.04 Subd. 2b and Minnesota Rules 4410.3100 describe the conditions under which the prohibitions on governmental actions apply. It is important to note that the prohibition is related to an active environmental review decision (i.e. decision on the need for an EAW, completion of an EAW of adequacy of an EIS. Governmental actions are defined as,

“activities including projects wholly or partially conducted, permitted, assisted, financed, regulated, or approved by governmental units, including the federal government.” As a governmental unit with regulatory authority, the DNR must uphold the prohibition on governmental actions. DNR has observed and upheld the prohibition by reviewing permits, licenses and other actions but not making any final determinations, authorizations or approvals until environmental review is complete.

Please feel free to contact me with any questions or concerns. I can be reached at (763) 284-7221.

Sincerely,



Craig Wills
Area Hydrologist, Division of Ecological and Water Resources
Minnesota Department of Natural Resources

Cc: Dan Miller, MN DNR EWR Water Use Consultant
Kate Fairman, MN DNR EWR Planning Director Environmental Review
Melissa Collins MN DNR Regional Environmental Assessment Ecologist