



MINING ENVIRONMENTAL REVIEW AND PERMITTING

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MN ENVIRONMENTAL REVIEW

It's a Process



EAW

20 questions to determine if the project will have significant environmental impacts

- Act as a source of information to guide other approvals
- Serve as scoping document - used to outline the issues that will be addressed in an EIS

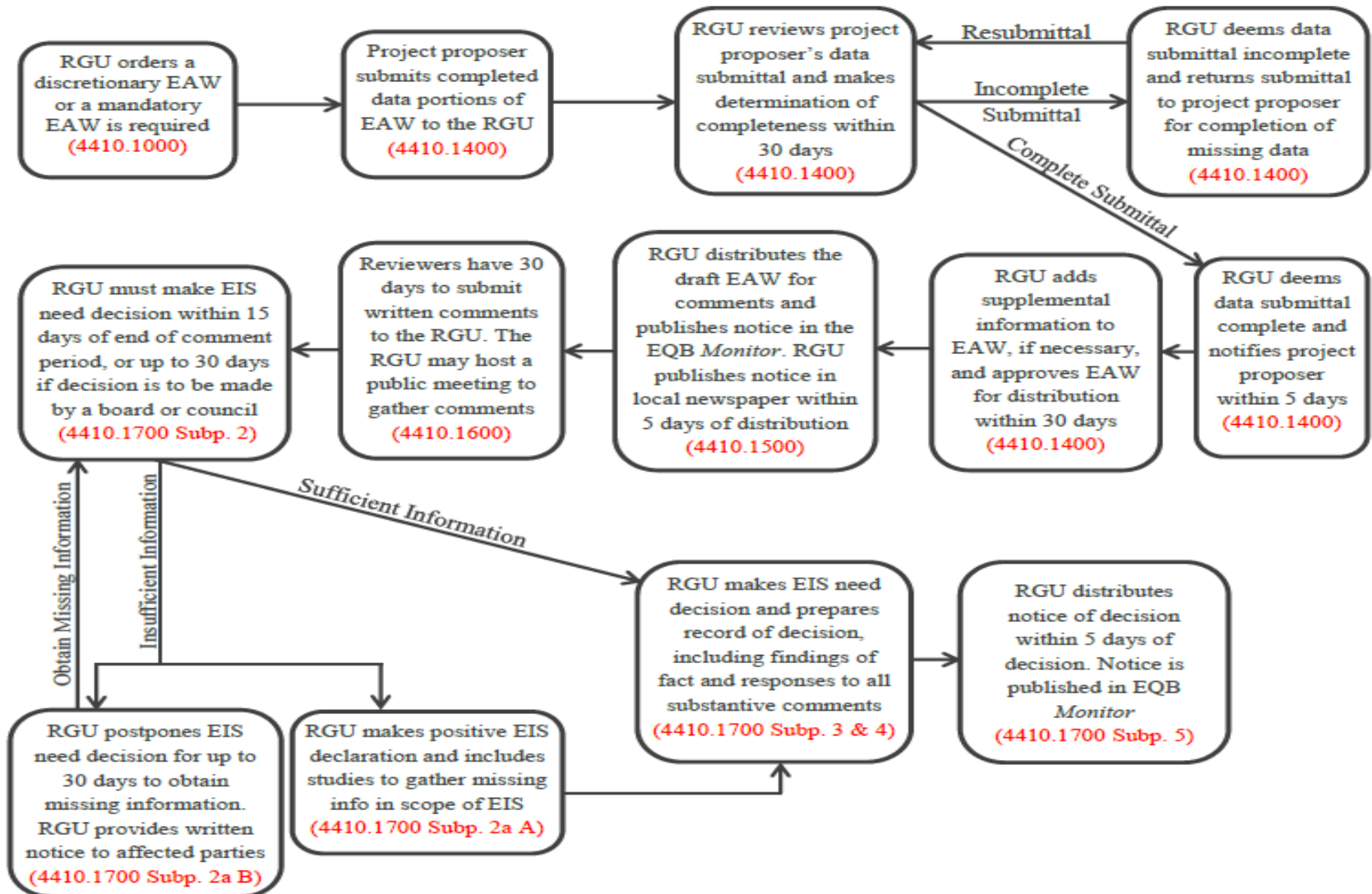


EIS

An in-depth analysis for major development projects that will significantly change the environment

- Also covers social and economic impacts
- Examines if alternative project designs or locations would result in fewer environmental impacts

EAW PROCESS - FLOW



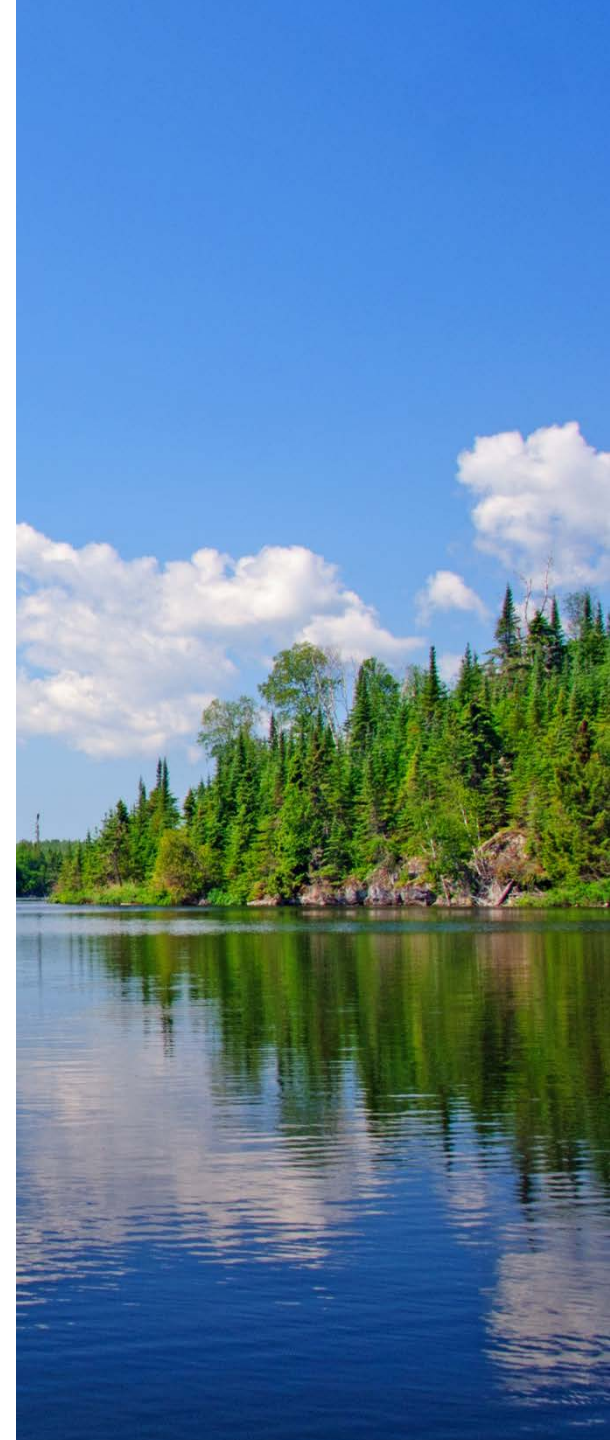
Note – no graphic described for EIS



NEPA

It's a Process

- NEPA requires federal agencies to assess the environmental effects of their proposed actions before making decisions
- Process and format differ across federal agencies
- Allows for and encourages coordination with state processes
- MN conducts joint state/federal environmental review by project MOUs
- Federal Scoping only ends with record of decision



NEPA (CONTINUED)

LEAD AGENCY

- The agency carrying out the federal action is responsible for complying with the requirements of NEPA.
- Federal agencies, together with state, tribal or local agencies, may act as joint lead agencies.

COOPERATING AGENCY

- Agency having special expertise with respect to an environmental issue or jurisdiction
- Participate in the NEPA process at the earliest possible time
- Develop info/prepare environmental analysis based on their special expertise

POLYMET EXAMPLE

- **CO-LEAD AGENCIES:** MnDNR, USACE, USFS
- **COOPERATING AGENCIES:** Fond du Lac Tribe, Grand Portage Tribe, Bois Forte Tribe, USEPA
- **ASSITING AGENCIES:** MPCA, MDH
- **DNR CONSULTANT:** Environmental Resource Management and its subcontractors
- **DNR OUTSIDE COUNSEL:** Crowell & Moring

Over 70 staff participated in the prep



Photo Credit: StarTribune



EIS DECISIONS

State

- The process (rule) was followed
- The Final EIS adequately addresses the issues identified in the Final Scope
- The proposed action is described in sufficient detail
- The EIS adequately presents alternatives to the proposed action, their impacts, and mitigation
- Responds to Comments received

- DOES NOT APPROVE OR ENDORSE THE PROJECT
- DOES NOT SKIP PERMIT PROCESS





EIS DECISIONS

Federal

- The EIS process ends with Record of Decision.
- The ROD explains the agency decision
- Describes alternatives considered (including the environmentally preferred alternative)
- Discusses plans for mitigating potential environmental effects and monitoring those commitments

- **DOES NOT APPROVE OR ENDORSE THE PROJECT**
- **DOES NOT SKIP PERMIT PROCESS**





IT TAKES TIME

Polymet Example

Feb. 2005

MOU for preparing a joint state/federal EIS, identified the USACE and DNR as lead agencies

May 2005

Finalized a Draft Scoping EAW and Draft Scope for the Project

**June 2005-
Oct. 2006**

Public scoping meetings for the EIS

June 2005

Notice of Availability of Scoping EAW & Draft Scope published in the EQB Monitor on, beginning a 30-day scoping period

Oct. 2005

Final Scoping Decision Document





IT TAKES TIME

Polymet Example

April 2006

EIS Preparation Notice summarizing the Final Scope was published in the EQB Monitor

Nov. 2009

Draft EIS published

Dec. 2013

Supplemental Draft EIS published

Nov. 2015

Final EIS was published

March 3, 2016

Final EIS for proposed NorthMet Mining Project and Land Exchange in St. Louis County, Minnesota is adequate

