STATE OF MINNESOTA DEPATMENT OF NATURAL RESOURCES

RECORD OF DECISION

In the Matter of the Final Environmental Impact Statement for the Minnesota Steel, LLC Steel Mill and Taconite Mine Project, Itasca County, Minnesota, Pursuant to Minnesota Rules, Parts 4410.0200 to 4410.6500 FINDINGS OF FACT, CONCLUSIONS, AND ORDER

Based upon, and after having considered, the entire record of the proceeding, including written reports, written and oral data, information, and statements, the Department of Natural Resources (DNR) makes the following:

FINDINGS OF FACT

- 1. Minnesota Steel Incorporated, LLC ("Proposer") proposes an open pit taconite mine, adjacent stockpile areas, and the construction of new facilities a crusher, concentrator, pellet plant, a 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. Including the utilization of 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.
- 2. On February 21, 2005, the DNR received the Proposer's completed portions of the Environmental Assessment Worksheet (EAW), pursuant to Minnesota Rules, part 4410.1400.
- 3. A memorandum of understanding (MOU) for the purpose of preparing a joint state/federal Environmental Impact Statement (EIS) among the U.S. Army Corps of Engineers (USACE), DNR, and the Proposer was created and entered into on March 5, 2006.
- 4. Due to changes in the proposed project the Proposer submitted a revised draft Scoping EAW to the DNR on June 21, 2005.
- 5. The DNR accepted the Proposer's completed data portions of the draft Scoping EAW form on June 21, 2005 in accordance with Minnesota Rules, part 4410.1400.
- 6. Pursuant to Minnesota Rules, part 4410.4400, subpart 8, item C, the proposed project met or exceeded the mandatory threshold designated in Minnesota Rules, part 4410.4400, subpart 8, item C, (Construction of a new metallic mineral processing facility), the DNR was designated as the responsible governmental unit (RGU).
- 7. On July 11, 2005, the DNR finalized a draft Scoping EAW and draft Scoping Decision Document (SDD) for the Project, pursuant to Minnesota Rules, part 4410.2100.

- 8. In accordance with Minnesota Rules, part 4410.2100, subpart 3, the Notice of Availability of the draft Scoping EAW and draft SDD was published in the EQB *Monitor* (Vol. 29, No. 15) on July 18, 2005, beginning the 30-day scoping period. The notice included the time, place, and date of the scoping meeting.
- 9. Pursuant to Minnesota Rules, part 4410.1500, the DNR supplied a press release to at least one newspaper of general circulation in the vicinity of the Project. The press release included the name and location of the project, a brief description of the project, the location at which copies of the draft Scoping EAW and draft SDD were available for review, the date the comment period ends, and the procedures for commenting.
- 10. A notice of the public scoping meeting was issued by the USACE on July 28, 2005.
- 11. The DNR provided copies of the draft Scoping EAW and draft SDD to all parties designated on the EQB EAW distribution list in accordance with Minnesota Rules, part 4410.1500, item A. The draft Scoping EAW and draft SDD were also made available to the public via posting on the DNR's Website.
- 12. Pursuant to Minnesota Rules, part 4410.2100, subpart 3, item B, the DNR held a public scoping meeting on August 10, 2005, at the Nashwauk High School, 400 2nd Street in Nashwauk, Minnesota from 6:30 p.m. to 8:30 p.m. Approximately 175 people attended the meeting. The attendees received information about the Minnesota Environmental Review Program, the proposed project, the proposed EIS contents, and were given an opportunity to ask questions about the project and the EIS process. The DNR provided a comment form for submitting written comments on the proposed EIS scope.
- 13. The USACE published a notice of intent to prepare a draft EIS in the *Federal Register* (Vol. 70, No. 156) on August, 15, 2005.
- 14. The DNR accepted written and emailed comments on the draft Scoping EAW and draft SDD for a period of 30 days following publication of notice of availability (July 18, 2005 to August 17, 2005), in accordance with Minnesota Rules, part 4410.2100, subpart 3.
- 15. The DNR received 45 comment letters on the draft Scoping EAW and draft SDD during the 30 day comment period. Letters were received from:

Lori Andresen Ronald Rich Blandin Foundation
Tarry Edington Ken Ricker Duluth Seaway Port Authority

Jim Fetzik Mary Lou Roskoski Grand Rapids Area Chamber of Commerce

David & Kelli Hardy Steve & Sharon Ross Itasca Development Corporation

Noreen Hautala Christel Rowe Minnesota Department of Transportation

Bill Heig Richard Savolainen Minnesota Historical Society
Randall Jacobson Warren Schaffer Sierra Club

Randall Jacobson Warren Schaffer Sierra Club Robert Johnson Jan Seal Smith Swan Lake Association

Donald Vizenor

Christopher Wright

(1) Anonymous

Barb Walker Shawne Wright

LeRoger Lind

Elanne Palich Drew Prochazka

Beatrice Milinovich

William & Marjorie Ress

Bob Kimmes Betty Toronto United States Environmental Protection Agency

Tom Larson Kathy Traczyk State Representative Loren Solberg

Eddie LeBar William Tuominen State Senator Tom Saxhaug
David Lick David Van Reese

- Verbal comments from the following were recorded by a stenographer at the August 10, 2005, Public Scoping Meeting: Vincent Austad, Carol Carlson, Anneliese Hayne, Maria Kautto, Bonita Labar, David Lotti, Jack Milinovich, Craig Nelson, Walt Petrusic, and Gregory Walker.
- 16. The EQB rules do not require the RGU to respond to comments received on the draft Scoping EAW and draft SDD, but require the RGU to consider the comments received in developing the final scoping decision.
- 17. The DNR responded to all comments received on the draft Scoping EAW and draft SDD in an October 13, 2005 correspondence entitled "Responses to EIS Scoping Comments". The Response to EIS Scoping Comments document was sent to all persons who made comment during the EIS scoping comment period and those designated on the established EQB EAW distribution list.
- 18. The EQB rules require the RGU to issue a final SDD within 15 days after the close of the 30-day scoping period.
- 19. The DNR considered the comments received during the EIS scoping comment period, made revisions to the draft SDD, as warranted and issued the final SDD on October 13, 2005. The 15 day issuance of the final SDD was extended by consent of the Proposer and RGU for good cause.
- 20. The DNR considered comments received and made substantive revisions to the following sections of the draft SDD: Solid Waste; Modified Designs or Layouts; Infrastructure; Technology Alternatives; Identification of Phased or Connected Actions; Stationary Source Air Emissions (Mercury Control Technologies, Sampling/Evaluation for Fine Mineral Fiber Bearing Material); Vehicle Related Air Emissions; Odor and Noise; Water Appropriation; Cumulative Effects; Archeological; Fish and Wildlife Resources; Threatened and Endangered Species; Land Use; Socioeconomics; Traffic; Visual Impacts; Physical Impacts on Water Resources; and Wastewater.
- 21. The final SDD included the following content in accordance with Minnesota Rules, part 4410.2100, subpart 6: the issues to be addressed in the EIS; the time limits for preparation; identification of the permits for which information will be gathered concurrently with EIS preparation; identification of the permits for which a record of decision will be required; alternatives that will be addressed in the EIS; identification of potential impact areas resulting from the project itself and from related actions which shall be addressed in the EIS; and identification of necessary studies requiring compilation of existing information or the development of new data that can be generated within a reasonable amount of time at a reasonable cost.
- 22. The DNR provided copies of the final SDD to all parties designated on the EQB EAW distribution list, to all parties that submitted comments on the draft scoping documents, and to all parties requesting copies. The final SDD and Scoping EAW were also made available to the public via posting on the DNR's Website.
- 23. On February 27, 2006, an EIS preparation notice summarizing the SDD was published in the EQB *Monitor* (Vol. 30, No. 5). The DNR supplied a press release to at least one newspaper of general circulation in Itasca County, Minnesota.
- 24. Pursuant to Minnesota Rules, part 4410.2300, the DNR, with assistance of a consultant, prepared the draft EIS.

The format of the draft EIS was as follows: cover sheet; summary; table of contents; list of preparers; project description; governmental approvals; alternatives (including a discussion why particular alternatives were considered, but eliminated); environmental, economic, employment, and sociological impacts; mitigation measures; and appendices.

- 25. The draft EIS evaluates and analyzes effects and alternatives commensurate with their importance as identified by the scoping process and identifies reasonable mitigative measures for identified adverse effects.
- 26. Pursuant to Minnesota Rules, part 4410.2400, the DNR incorporated material into the EIS by reference to reduce the bulk of the document without impeding governmental and public review of the project. All material incorporated by reference was made available for inspection by interested persons within the time allowed for comment.
- 27. According to Minnesota Rules, part 4410.2600, subpart 3, the DNR distributed copies of the draft EIS to all parties designated on the EQB EIS Distribution List, government units with authority to permit or approve the proposed project; to the extent known, the Proposer, and to all individuals requesting a copy. Copies of the draft EIS were also provided to the DNR Library in St. Paul, the DNR Regional Office Library in Grand Rapids, the Minneapolis Public Library, the Duluth Public Library, and the Keewatin Public Library.
- 28. An Executive Summary of the draft EIS was supplied to all persons who submitted substantial comments on the Scoping EAW and draft SDD, and any person requesting the Executive Summary in accordance with Minnesota Rules 4410.2600, subpart 4.
- 29. Pursuant to Minnesota Rules, part 4410.2600, subpart 5, a notice of availability of the draft EIS was published in the February 12, 2007 EQB *Monitor* (Vol. 31, No. 4). The notice included the date, time, and location of the public informational meeting, notice of where copies of the draft EIS were available for public review, and indicated the comment period closure date and time (April 2, 2007 at 4:30 pm).
- 30. Pursuant to Minnesota Rules, part 4410.2600, subpart 6, the DNR supplied a press release on February 13, 2007, to at least one newspaper of general circulation in the vicinity of the Project. The press release included the date, time, and location of the public informational meeting, notice of where copies of the draft EIS were available for public review, and indicated the comment period closure date and time (April 2, 2007 at 4:30 pm).
- 31. The USACE issued a Notice of draft EIS Availability in the February 13, 2007, *Federal Register* (Vol. 72, No. 32) indicating the comment period ends on April 2, 2007.
- 32. In accordance with Minnesota Rules, part 4410. 2600, subpart 8, a public informational meeting was held on March 14, 2007, not less than 15 days after publication of the notice of draft EIS availability in the EQB *Monitor*. A type-written transcript and a public access video of the meeting was made.
- 33. The DNR received approximately 120 comment letters during the public comment period and nine transcribed verbal comments on the draft EIS during the public informational meeting. Following is the list of written and transcribed verbal comments:

Letters:

Leonard Anderson

Dave Marshall, Itasca County Assistant Land

Troy Anderson, GABA

Greg Andrews

Tom Anzelc, State Representative, District 3A

Steve Arbour

Joseph Arthurs, Independent School District No.

701

Marilayne Bailey Louis & Amy Baumchen

Robert D. Belluzzo, Hibbing Public Schools

Lou Benepe

Gary Benjamin, Champion, Inc.

Thomas H. Bennett Frank B. Bennett Robert Besful

Lynda J. Bolf, US Bank

Andy Borland, Hibbing Area Chamber of

Commerce

Jonathan Bunkowske

Michael T. Chezik, U.S. Department of the Interior

Senator Norm Coleman, U.S. Senate

Steve L. Crouch, University of Minnesota, Institute

of Technology Thomas Deluca Donald C. Downs, Sr. Larry & Elizabeth Doyle

Wayne Dupuis, Fond du Lac Reservation

Eric C. Erkkila

Lory Fedo, Hibbing Area Chamber of Commerce

Jim Fetzik

Bradley E. Frazier, Grand Portage Band of

Chippewa Kathy Furlong

Kristi Garrity, Midwest Communications

Stan Gibson, NALCO Douglas G. Hanson

James Hecimovich, Cutler-Magner Company William Hendricks, City of Nashwauk, Mayor

Tim Hickey Al Hilde, Jr. Don Hilligoss

Kathy Hoolihan, Industrial Lubricant

Lori Houwman

Kirk Ilenda, Oscar J. Boldt Construction Burl Ives, Itasca County Trails Task Force

Thomas D. Jamar, Jasper Engineering & Equipment

Co.

Scott Jeffers

David Johnson

Kathryn Johnson Gary Kaminen

Patrick Kane, GABA

Maria Kautto Andrew Kingsbury Kathleen D. Kirchner Roger H. Kowalsky

Jim Laggers, Champion Charter Sales

Commissioner

Peter McDermott, Itasca Economic Development

Corporation

Dan McElroy, Minnesota Department of Employment and

Economic Development

Catherine McLynn, Itasca County Courthouse,

Administration Services

David J. McMillan, Minnesota Power

Joseph F. Micallef, Great Northern Iron Ore Properties

Anna Miller, EPA - Region V

Jon Minne, Hibbing Area Chamber of Commerce

David Mlakan, USW Local 2660

Mary Mueller

Leif Nelson, Lano, Nelson, O'Toole & Bengston, Ltd.

Craig Nelson Amanda Nesheim Terry Nevalainen

Gary Oja, Industrial Lubricant

Mike Olson, Nashwauk Area Chamber of Commerce David Olson, Minnesota Chamber of Commerce

Tom Osborn, Grand Rapids Area Chamber of Commerce

Garrett Ous, Itasca County Land Commissioner

R.E. Prittinen, Viking Explosives Drew Prochazka, Rapids Rental

Leon & Shelley Rashe

John M. Ratelle, Oswald Companies Brian J. Redshaw, City of Hibbing

Kevin Reuther, MCEA

Ronald R. Rich, Swan Lake Association

Charles D. Ross

Terry J. Rupar, Hibbing Community College

Larry Salmela

Senator Tom Saxhaug, State Senator, District 3

Ron Schiferl, Naterra Land

Nancy Schuldt, Fond du Lac Reservation

Joe Sertich

Ed & Sue Shaughnessy

Loren A. Solberg, State Representative, District 3B

Steve Sorenson, Cornerstone Energy

Ed & Sue Stish

Bud Stone, Grand Rapids Area Chamber of Commerce

Philip C. Taylor, Naterra Land

George Thompson, Blandin Foundation Jack Thronson, USW Local 2660 Paul Tweed, Nashwauk Hardware Co.

John Vernon

Darren Vogt, 1854 Treaty Authority

Norman R. Voigt, Ironman Concrete Pumping

Greg & Barb Walker

Lyle & Katherine Wallentine, Dixon Lake Resort

Anonymous (1) Walleyebrooks

Frank R. Weber Tony Wedell, AMEC Jeff Welcher Rob West, APEX

Joy Wiecks, Fond du Lac Reservation

Donald V. Larson, Lerch Brothers, Inc. David Latvala, Latvala Lumber Sandy Layman, Iron Range Resources

R.D. Learmont Rich Libbey

Reggie J. Licari, AmeriPride

David Lotti, Western Mesabi Mine Planning Board David Lotti, City of Marble, Mayor

Mark Mandich

Steven M. Wilcox, Grand Rapids State Bank Dr. Ernie Williams, Jr. Rick Wolff, Mayor, City of Hibbing David Woodward, 1854 Treaty Authority

Chris Wright Shawne Wright Mary Zanoni, ARDC

Transcribed Verbal Comments:

Tom Anzelc Dick DeBolt Ron Dicklich Tarry Edington Pat Kane Peter McDermott Catherine McLynn Tom Pearson Ronald Rich

- 34. The EQB rules require the RGU to prepare a final EIS that responds to timely substantive comments on the draft EIS, consistent with the final SDD and to include any necessary revisions to the draft EIS.
- 35. The DNR prepared written responses to comments made at the public informational meeting and to substantive comment letters consistent with the final SDD received during the public comment period. Comment letters and responses are presented in Appendix M of the final EIS.
- 36. The DNR prepared a final EIS comprising changes and revisions, in response to comments to sections of the draft EIS as outlined in Section 1.6.2 of the final EIS. The sections of the final EIS which have substantial changes are as follows: Physical Impacts on Water Resources Wetlands, Water Appropriation, Physical Impacts on Water Resources Non-Wetlands, Wastewater/Water Quality, Solid Waste, Stationary Source Air Emissions, Noise, Threatened and Endangered Species Animals, and Minor changes to the ambient air quality boundary and Proposed Project Boundary.
- 37. In addition the following appendices were added, changed or supplemented in the final EIS: Appendix D 2007 Canada Lynx Report, Appendix F Programmatic Agreement Cultural Resources, Appendix H Wetland Mitigation Plans, Appendix I List of Special Studies, Technical Memorandums, and Permit Application Submittals through June 1, 2007, Appendix J Minnesota Steel Water Management Excerpts from NPDES Permit Application (February 2007), Appendix K Fugitive Dust Control Plan, Appendix L Public Information Meeting Transcript March 14, 2007, Appendix M Public Comments and Agency Responses to Comments, Appendix N Summary of USACE Consultation with Native American Tribes, and Appendix O Carbon Footprint Analysis.
- 38. The final EIS comprises the complete EIS for the proposed project.
- 39. Pursuant to Minnesota Rules, part 4410.2700, subpart 3, the final EIS was distributed to all parties that received a copy of the draft EIS, to all parties that submitted comments on the draft EIS, and to all parties requesting a copy. The DNR also provided a copy of the final EIS to the DNR Library in St. Paul, the DNR Regional Office Library in Grand Rapids, the Minneapolis Public Library, the Duluth Public Library, and the Keewatin Public Library.

- 40. Pursuant to Minnesota Rules, part 4410.2700, subpart 4, a notice of final EIS availability was published in the EQB *Monitor* (Vol. 31, No. 13) on June 18, 2007. The notice included the location of copies of the final EIS available for review and described the opportunity for public comment on the adequacy of the final EIS.
- 41. Pursuant to Minnesota Rules, part 4410.2700, subpart 5, the DNR supplied a press release on June 19, 2007, to at least one newspaper of general circulation in the vicinity of the Project. The press release included the location of copies of the final EIS available for review and described the opportunity for public comment on the adequacy of the final EIS.
- 42. The EQB *Monitor* notice, the press release, and cover letters accompanying the final EIS identified the three criteria used in determining EIS adequacy (Minnesota Rules, part 4410.2800, subpart 4) and the deadline for submitting comments.
- 43. Minnesota Rules, part 4410.2800 require the RGU to accept comments on the adequacy of the final EIS for a period of not less than ten days following publication in the EQB *Monitor*. Because this EIS is a joint state/federal EIS the state comment period was extended to a 30-day public comment period pursuant to the National Environmental Policy Act (NEPA).
- 44. The USACE issued a notice of final EIS availability in the June 22, 2007, *Federal Register* (Vol. 72, No. 120) indicating the federal comment period concludes on July 23, 2007.
- 45. The DNR established July 23, 2007, as the deadline for receiving comments on the adequacy of the final EIS in the EQB *Monitor* notice, the press release, and cover letters accompanying the final EIS.
- 46. Written and emailed comments on the adequacy of the final EIS were accepted from June 18, 2007 to July 23, 2007.
- 47. The RGU considered the following comments received during the final EIS comment period when determining final EIS adequacy.
- 48. Sixteen comment letters were received during the final EIS comment period.
- 49. The letters and the DNR's responses to the specific comments on the final EIS are attached and incorporated as Exhibit A to this Record of Decision.

Following is a summary of the topics included in the comment letters:

- Data Availability
- Proposed Project Power Consumption and New Electrical Generation
- Evaluation of Mobile Source Emissions
- Increased Levels of Greenhouse Gases
- Climate Change
- Wetlands
- Threatened and Endangered Species (Canada lynx) and Section 7 Consultation
- Water Quality (Lakes, Streams, and Groundwater)
- Noise
- Water Augmentation/Appropriation
- Air Emissions

- 50. Following is a list of those who commented on the final EIS:
 - a) Jim Gustafson, Itasca Soil and Water Conservation District
 - b) Kevin Reuther, Minnesota Center for Environmental Advocacy
 - c) Ronald R. Rich, Swan Lake Association
 - d) Kenneth Westlake, U.S. Environmental Protection Agency
 - e) Richard J. Trebesch
 - f) James A. Markoe, Jr.
 - g) Roger H. Kowalsky
 - h) Michael L. Tardy, Minnesota Department of Transportation
 - i) David C. Olson, Minnesota Chamber of Commerce
 - j) Peter McDermott, Itasca Economic Development Corporation
 - k) Jim Young, Swan Lake Country Club
 - l) Jon Korpi
 - m) David Ross, Duluth Area Chamber of Commerce
 - n) Bud Stone, Grand Rapids Area Chamber of Commerce
 - o) David McMillan, Minnesota Power
 - p) Vince Goetsch
- 51. The letters in Finding of Fact 50b, 50c, and 50g specifically address EIS adequacy as defined by Minnesota Rule. Letters from Findings of Fact 50a, 50d, 50e, 50f, 50h, 50i, 50j, 50k, 50l, 50m, 50n, 50o, and 50p did not specifically address the final EIS adequacy as defined in Minnesota Rule, but rather expressed support for (Findings of Fact 50f, 50i, 50j, 50j, 50m, 50n, 50n, 50o, and 50p), or opposition to (Findings of Fact 50a, 50d, 50e, and 50k), the proposed project. The letter from Findings of Fact 50h did not address final EIS adequacy nor opposition for or against the proposed project.
- 52. Comments received after the close of the final EIS review period do not bear on the EIS adequacy decision. The DNR will provide upon request, copies of any letters received after the close of the comment period to all permitting agencies and the project proposer for consideration in project decision-making.
- 53. Minnesota Rules, part 4410.2800, subpart 3, requires the RGU to determine the adequacy of the final EIS at least ten days after publication in the EQB *Monitor* of the notice of availability of the final EIS, and within 280 days after the draft EIS preparation notice was published unless time is extended by consent of the proposer and the RGU.
- 54. By consent of the Proposer and the RGU, the timeframe for completing the final EIS was extended for good cause.
- 55. Minnesota Rules, part 4410.2800, subpart 1, requires the RGU to determine adequacy of the final EIS unless notified by the EQB that the EQB will make the determination. If the EQB decides to make the adequacy determination, it must notify the RGU of its decision no later than 60 days following publication of the preparation notice in the EQB *Monitor*. The EQB has not given such notification to the DNR.

56. Minnesota Rules, part 4410.2800, subpart 4, requires the RGU to find the final EIS adequate if it: a) addresses the potentially significant issues and alternatives raised in the scooping process so that all issues for which information can reasonably be obtained have been analyzed; b) provides responses to the substantive comments received during the draft EIS review concerning issues raised in scoping process; and c) was prepared in compliance with the procedures of the Minnesota Environmental Policy Act (Minnesota Statutes, chapter 116D.04) and the Environmental Quality Board Review Program rules (Minnesota Rules, parts 4410.0200 to 4410.6500).

CONCLUSIONS

- 1. The DNR is charged with determining the adequacy of the EIS for the Minnesota Steel Taconite Mine and Steel Mill Project in Itasca County. The EIS meets the content requirements of Minnesota Rules, part 4410.2300.
- 2. The DNR prepared the EIS in compliance with the procedures of Minnesota Statutes, section 116D.04 and Minnesota Rules, parts 4410.0200 to 4410.6500.
- 3. The public has been afforded opportunities for input to the scope of the EIS, the content of the draft EIS and final EIS, and the adequacy of the final EIS in accordance with all applicable provisions of the EQB Environmental Program Rules.
- 4. The information presented in the final EIS adequately addresses the issues identified in the final SDD.
- 5. The proposed action is described in sufficient detail.
- 6. The EIS adequately analyzes significant environmental impacts.
- 7. The EIS adequately presents alternatives to the proposed action and their impacts.
- 8. The EIS adequately presents methods by which adverse environmental impacts can be mitigated.
- 9. The EIS adequately presents the economic, employment, and sociological effects that cannot be avoided should the proposed action be implemented.
- 10. The EIS is adequate because it meets the criteria set forth in Minnesota Rules, part 4410.2800, subpart 4, which require that it:
 - 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;
 - b. provides responses to the substantive comments received during the draft EIS review concerning issues raised in the scoping process; and
 - c. was prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minnesota Rules, part 4410.0200 to 4410.6500.
- 11. That any Findings that might properly be termed Conclusions and any Conclusions that might properly be termed Findings are hereby adopted as such.

ORDER

Based on the Findings of Fact and Conclusions contained herein and the entire record of the proceeding:

The Department of Natural Resources hereby determines that the Environmental Impact Statement for the proposed Minnesota Steel Taconite Mine and Steel Mill Project in Itasca County, Minnesota is adequate.

Approved and adopted this _____ day of August 2007.

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

MARK HOLSTEN

Commissioner