Module I - Introduction to the Environmental Review Guide Project

Goal: To maintain and/or improve habitat in Minnesota for fish and wildlife, particularly species in greatest conservation need, through greater consistency in how assessments are conducted, including use of informational resources, review of natural resource concerns, and requests for project changes or mitigation to improve protection of fish and wildlife habitats.

Protection of fish and wildlife species and their habitat is the responsibility of the Minnesota Department of Natural Resources (DNR). Federal, state, and local units of government and the private sector carry out activities that impact fish and wildlife populations and habitat. Environmental review of proposed development projects is mandated by the Minnesota Environmental Policy Act and a variety of state and federal environmental regulatory processes. In a typical year, about 200 DNR staff members spend more than 25,000 hours reviewing approximately 1,200 documents associated with more than 900 projects. Many of these projects are of similar types: road construction, lakeshore developments, wind energy, pipelines, and developments near sensitive areas such as Wildlife Management Areas and Scientific and Natural Areas.

One of the purposes of this guide is to ensure the quality and consistency of the department's field review assessments. Because of differences in education, experience, approaches, and management interests and responsibilities among reviewers, the content of field review assessments, comments, and mitigation recommendations may be inconsistent from one reviewer to another. Other factors contributing to inconsistency include differences in the resources of concern from region to region, existing conditions, and the expectations of developers and local governments. Inconsistency in field review assessments may become problematic, as citizens expect to be treated equally and may view the assessments of reviewers in a particular area or region as biased or not conforming to standards for review.

This guide also assists staff in incorporating Minnesota's State Wildlife Action Plan (SWAP) in their preparation of environmental reviews, assessment of potential environmental effects of proposed development projects, and identification of opportunities to avoid, reduce, or mitigate impacts. The guide will ensure that staff evaluate species in greatest conservation need (SGCN), key habitats, sites of biodiversity significance, and other important environmental features not legally mandated to be considered during environmental review, and will increase the frequency and quality of recommendations made by staff for impact avoidance, reduction, and mitigation.

Minnesota's SWAP is the result of a congressional mandate. To make the best use of the federal funds provided through the Wildlife Conservation and Restoration Program and the State

Wildlife Grants Program, Congress charged each state and territory with developing a statewide wildlife action plan. These proactive plans, known technically as "comprehensive wildlife conservation strategies," are intended to help conserve wildlife and vital natural areas before they become more rare and more costly to protect. Primary responsibility for wildlife management has always rested with the states, so they have had the formal authority for developing and implementing the wildlife action plans. State fish and wildlife agencies have developed these strategic action plans by working with a broad array of partners, including scientists, sportsmen, conservationists, and members of the community. Working together, with input from the public, these diverse coalitions have reached agreement on what needs to be done to conserve the full array of wildlife in every state.

Module IV, "Incorporating the State Wildlife Action Plan (SWAP) into the Environmental Review Process," specifically addresses the SWAP. The SWAP can be found on the Minnesota Department of Natural Resources website.

This guide is a compilation of modules that can be accessed from different points depending on a user's needs. For example, Module IX, "Direction, Guidance, and Information," contains the laws, rules, regulations, and certain guidance documents that direct department and division environmental review activity. Module VII, "Impact Assessment Methodologies," provides tools such as questionnaires, matrix analysis, and GIS spatial analysis; Module V, "Selected Topics," describes the seven topics that the guide addresses; and Module IV, "Incorporating the State Wildlife Action Plan (SWAP) into the Environmental Review Process," links environmental review to the department's *Strategic Conservation Agenda*. As information tools, each module can stand alone while serving as an integral part of the larger guidance system.

The Minnesota Environmental Quality Board has identified certain project types as potentially requiring environmental review (see table below). Some of these project types, for example, nuclear fuels and nuclear waste and PCB incineration, rarely trigger state environmental review. (See Minnesota Statutes section 116D.04, Minnesota Rules chapter 4410, and the 2010 guide to Minnesota Environmental Review Rules.)

All of the projects listed in the table and other projects also may be subject to review during various permitting, licensing, and approval processes or may be evaluated at the request of members of the public. In addition to project-focused reviews, DNR staff also review local comprehensive plans and watershed management plans.

Intended as a pilot project, this guide focuses on the project types shown in **bold** in the table. Eventually the guide may be expanded, but it can now serve as a model for evaluating other project types as well. The selected project types are described in Module V, "Selected Topics."

Minnesota Environmental Review Program Project Types

- Nuclear fuels and nuclear waste
- Electric generating facilities
- Petroleum refineries
- Fuel conversion facilities
- **Transmission lines**
- **Pipelines**
- Transfer facilities (coal, hazardous materials)
- Underground storage (gases or liquids)
- Storage facilities (coal, hazardous materials, LNG, synthetic gas, anhydrous ammonia)
- Metallic mineral mining and processing
- **Nonmetallic mineral mining**
- Paper or pulp processing mills
- Industrial, commercial, and institutional facilities
- Air pollution (stationary source facility)
- Hazardous waste (disposal, storage, or processing facility)
- Solid waste (mixed municipal solid waste facility)
- **Wastewater systems (municipal, industrial, domestic)**
- **Residential development**
- **Residential development in shoreland outside the Twin Cities metropolitan area**
- Campgrounds and RV parks
- Resorts, campgrounds, and RV parks in shoreland
- **Airport projects**
- **Highway projects**
- Barge fleeting
- Water appropriation and impoundments
- Marinas and harbors
- Streams and ditches
- Wetlands and public waters
- Forestry (commercial harvesting, clear cutting)
- Animal feedlots
- Natural areas
- Historical places
- Mixed residential and industrial-commercial projects
- Communication towers
- Sports or entertainment facilities
- Water diversions
- Release of genetically engineered organisms
- Land-use conversion (including golf courses)
- Land-use conversion in shoreland
- PCB incineration
- Recreational trails
- **Wind energy projects***
- Utilities (water service mains, local electrical service, gas service mains, telephone service lines)*

* Review of wind energy projects and utility projects (water service mains, local electrical service, gas service mains, and telephone service lines) is the responsibility of the Minnesota Department of Commerce, Office of Energy Security (OES). The Public Utilities Commission has responsibility for the site and route permitting of certain energy facilities, including power plant siting, electric power plants generating more than 50 megawatts; transmission line routing, electric transmission lines operating above 100 kilovolts; wind turbine siting, wind energy conversion systems generating more than 5 megawatts; and pipeline routing, pipelines of six inches or more in diameter that carry hazardous liquids, such as crude oil or petroleum products, and gas pipelines designed for pressure of more than 275 pounds per square inch.

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