

Division of Ecological and Water Resources

Date: 09/01/2023

To: EQB Distribution List
Other Interested Parties

VIA ELECTRONIC TRANSMISSION ONLY

From: Bill Johnson, Mining ER Planning Director

RE: Extension on the Determination of the Need for an EIS Due to Insufficient Information for the Mile Post 7 West Ridge Railroad Relocation, Dam Extensions, and Stream Mitigation Project EAW

The Minnesota Department of Natural Resources (DNR) prepared and issued an Environmental Assessment Worksheet (EAW) for the proposed Mile Post 7 West Ridge Railroad Relocation, Dam Extensions, and Stream Mitigation Project. The EAW was published in the April 18, 2023, edition of the Environmental Quality Board (EQB) *Monitor* with the public review and comment period ending on May 18, 2023.

DNR received a relatively large number of public comments, each of which must be individually catalogued for content and rule-based notification requirements. Within the bulk of these individual submissions DNR received both substantive and non-substantive comments regarding, but not limited to: applicable regulatory authorities; a new dam safety study; regulation of Class I Dams; and requests for a modern dam breach analysis. Some of these issues were not discussed in the EAW. These issues are currently being investigated by DNR and additional information will be incorporated into the forthcoming Record of Decision that will support DNR's determination on whether the proposed project has the potential for significant environmental effects and requires an Environmental Impact Statement (EIS).

As provided in Minn. R. 4410.1700, subp. 2a.B, DNR sought proposer approval to postpone the decision on the need for an EIS to November 30, 2023, to add this lacking information to our Record. Northshore Mining Company agreed with DNR's request for additional time to reach its decision on August 30, 2023. Therefore, pursuant to Minn. R. 4410.1700, subp. 2a.B, DNR is postponing its decision on the need for an EIS to November 30, 2023.

Through this correspondence DNR is notifying the EQB Distribution List and other interested parties about the extension of the Record of Decision period. All persons, including parties that commented on the EAW, will be

notified of the availability of DNR's decision document when that occurs. Questions or inquiries regarding this extension of the Record of Decision period can be directed to Bill Johnson at bill.johnson@state.mn.us.

cc: Melissa Kuskie

Randall Doneen

Jill Townley