



What is the Environmental Review Process?

What is an “environmental review?”

An environmental review is a process required under state and federal law through the Minnesota Environmental Policy Act (MEPA) and the National Environment Policy Act (NEPA). It is used to evaluate the effects of proposed projects on the environment so that decision-makers (such as permitting agencies) are well-informed and can take appropriate actions. Documents such as Environmental Impact Statements (EISs) are intended to provide decision-makers and the public with objective facts about the significant environmental, social, and economic effects of a proposed project. An EIS also looks at ways to avoid, minimize, or mitigate the significant effects, and analyzes alternatives to the project, so those effects can be addressed in the project design or in the permitting phase.

Who prepared this environmental review document?

The Final EIS for the proposed NorthMet Mining Project and Land Exchange is a joint state/federal environmental review document prepared by the Minnesota Department of Natural Resources, U.S. Army Corps of Engineers, and U.S. Forest Service. These agencies are collectively referred to as the Co-lead Agencies. The Co-lead Agencies are using the consulting services of Environmental Resources Management, or ERM, in developing the EIS.

What steps are involved in the environmental review process?

The joint state/federal environmental review process for the proposed NorthMet Mining Project and Land Exchange involves the following steps:

- EIS Scoping – Identification of major issues, alternatives, and special studies that will be developed as part of the EIS. This step consists of a draft scoping document that is subject to public review and comment prior to finalizing the content of the EIS. Scoping for the NorthMet EIS was completed in October 2005.
- Draft EIS – This is an analytical document that describes potential environmental effects, alternatives to the proposed project, and potential mitigation measures. A Draft EIS is subject to public review and comment to help determine the suitability of the analysis and additional analysis or information that is needed. The Draft EIS for the proposed NorthMet project was published in October 2009.
- Supplemental Draft EIS – This is an optional step in the environmental review process used when the responsible government agencies determine that the project or situations have significantly changed since the preparation of a Draft EIS. In the case of the proposed NorthMet project, there were three factors that led to the decision to prepare a Supplemental Draft EIS:

- PolyMet made significant changes to its proposed project, including adding a land exchange;
- The U.S. Forest Service determined an EIS would be required for the land exchange and conducted scoping in 2010; and
- The public review of the Draft EIS identified several deficiencies that needed to be addressed.

The public was given the opportunity to review the Supplemental Draft EIS and provide comments during a 90-day comment period. The Co-lead Agencies considered the comments in determining if additional analysis was needed.

- Final EIS – The NorthMet Mining Project and Land Exchange Final EIS responds to all substantive comments received during the public review period for the Draft EIS and Supplemental Draft EIS and provides additional analysis or information. A 30-day public review period accompanies the Final EIS.
- Determination of Adequacy – This step is conducted only by the state agency. During this step, the Minnesota Department of Natural Resources will determine if the Final EIS for the NorthMet Mining Project and Land Exchange is adequate. Final state and local government approvals and permit decisions cannot be granted unless and until the Final EIS has been deemed adequate.
- Record of Decision (ROD) – This step is conducted by the lead federal agencies. It is the final step of the federal environmental review process.
 - In drafting its ROD, the U.S. Army Corps of Engineers will balance reasonably foreseeable benefits and detriments of the project in considering the permit decision.
 - The U.S. Forest Service is to publish a Draft ROD which will document that agency’s draft decision on the land exchange. The legal notice will initiate a 45-day “objection” period pursuant to the regulations at 36 C.F.R. Part 218, Subparts A and B. Once any objections are addressed, the U.S. Forest Service will issue a ROD for the land exchange portion of PolyMet’s proposal.

The State of Minnesota’s permitting process is separate from the environmental review and decisions happen only after a Determination of Adequacy has been issued for a project. Permits contain specific provisions, such as pollution limits, as well as other conditions like monitoring, maintenance, and reporting requirements.

For more information about the environmental review process of the NorthMet Mining Project and Land Exchange, see the Executive Summary, Chapter 1.0 (Introduction), and Chapter 2.0 (EIS Development) of the Final EIS. Also, refer to additional Fact Sheets about the NorthMet Mining Project and Land Exchange Final EIS:

- 1. Project and Land Exchange Overview**
- 2. What is the Environmental Review Process?**
- 3. What’s Changed since the Draft EIS?**
- 4. What’s Changed since the Supplemental Draft EIS?**
- 5. Supplemental Draft EIS Comment Response Process**
- 6. Effective Commenting on the Final EIS**

- 7. A Guide to the Final EIS Document**
- 8. Air Quality**
- 9. Water Quantity**
- 10. Wetlands**
- 11. Water Quality**
- 12. Wild Rice**
- 13. Mercury**
- 14. Threatened & Endangered Species**
- 15. Cultural Resources**
- 16. Land Exchange**
- 17. Reclamation & Financial Assurance**
- 18. Cumulative Effects**
- 19. Tailings Basin Stability**
- 20. Water Modeling**
- 21. Northward Flowpath**
- 22. Duration of Treatment & Financial Assurance**
- 23. Human Health**