REQUEST FOR COMMENTS

Proposed Amendments to Rules Governing the Environmental Review Program, *Minnesota Rules*, chapter 4410,

Subject of Rules. The Minnesota Environmental Quality Board (EQB) is considering making revisions to the existing rules governing the Environmental Review Program. These are the rules under which Environmental Assessment Worksheets (EAWs), Environmental Impact Statements (EISs), and other environmental review documents are prepared. This possible rulemaking is being referred to as "Phase 2" amendments to the Environmental Review program rules to distinguish it from previous "Phase 1" rulemaking. The EQB adopted Phase 1 amendments at its June 15, 2006 meeting.

The EQB has identified about a dozen rule provisions that will be considered for amendment as part of the Phase 2 rulemaking. Those provisions are listed in the document described under "Rule Drafts" below. Included are new mandatory EAW and EIS categories specific to developments in shoreland areas. Also included are several amendments to the Alternative Urban Areawide Review process proposed but later withdrawn in Phase 1 rulemaking, as well as amendments clarifying how "cumulative potential effects" are to be accounted for in determining if a discretionary EIS is required for a project and several clarifications to the citizens' petition process.

Persons Affected. The proposed amendments may specifically affect project developers, local units of government and state agencies, citizens groups, and environmental groups. However, changes to the rules governing the Environmental Review Program may directly or indirectly affect all citizens of the state.

Statutory Authority. *Minnesota Statutes*, sections 116D.04 & 116D.045, establish the Environmental Review Program and authorize the EQB to adopt administrative rules governing its operation.

Public Comment. Interested persons or groups may submit comments or information on possible rule amendments in writing or orally until 4:30 p.m. on Monday, October 16, 2006.

Rule Drafts. A description of the amendments being considered by EQB is available at the EQB website, www.eqb.state.mn.us, and from the EQB contact person noted below.

Agency Contact Person. Written or oral comments, questions, requests to be appointed to an advisory group, requests to receive the preliminary draft of the proposed amendments, or requests for more information on these possible amendments to rules should be directed to:

Gregg Downing
Environmental Quality Board
300 Centennial Building
658 Cedar Street
St. Paul, MN 55155
Telephone: 651/201-2476
Fax: 651/296-3698
E-mail: gregg.downing@state.mn.us
TTY users may call the Board at 800/627-3529.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Note: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the administrative law judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: Aug. 7, 2006

Dana B. Badgerow, Chair
Environmental Quality Board