



Quick Reference: Environmental Impact Statement (EIS)

The EIS provides detailed information about the extent of potentially significant environmental impacts of a proposed project, presents alternatives to the proposed project, and identifies methods for reducing adverse environmental effects. The required form and content of an EIS is described in [Minnesota Rules 4410.2300](#), and shall be prepared using an interdisciplinary approach that includes the natural, environmental, and social sciences. The EIS is not meant to approve or deny a project, but instead act as a source of information to guide approval and permitting decisions. The EIS is completed by the Responsible Governmental Unit (RGU) designated according to [Minnesota Rules 4410](#).

This quick reference guide contains flowcharts for the following EIS processes:

1. [EIS Scoping Process Steps for a Mandatory or Voluntary EIS](#) – This occurs when a project requires a mandatory EIS or when the project proposer and RGU agree that an EIS should be prepared.
2. [EIS Scoping Process Steps for a Discretionary EIS](#) – This is the direct result of an RGU making a positive EIS need decision after the completion of an Environmental Assessment Worksheet (EAW).
3. [EIS Preparation and Review Process Steps](#) – The EIS preparation process occurs after the scoping processes.
4. [EIS Supplement Process Steps](#) – This can be ordered to supplement a completed EIS before a project starts.

Environmental Review Exemptions

Some projects of a specific size and nature are exempted from the environmental review process as indicated in [Minnesota Rules 4410.4600](#). If a project is identified as exempt, then it is not required to go through environmental review in order to move forward.

Mandatory Environmental Review

Projects that meet or exceed the thresholds described in [Minnesota Rules 4410.4400](#) are required to complete an EIS. When determining if a project meets a mandatory environmental review category threshold, it is important to keep in mind any connected actions or phased actions of the project that may cumulatively make the project trigger mandatory environmental review. These provisions are described in [Minnesota Rules 4410.2000](#), Subpart 4.

Discretionary Environmental Review

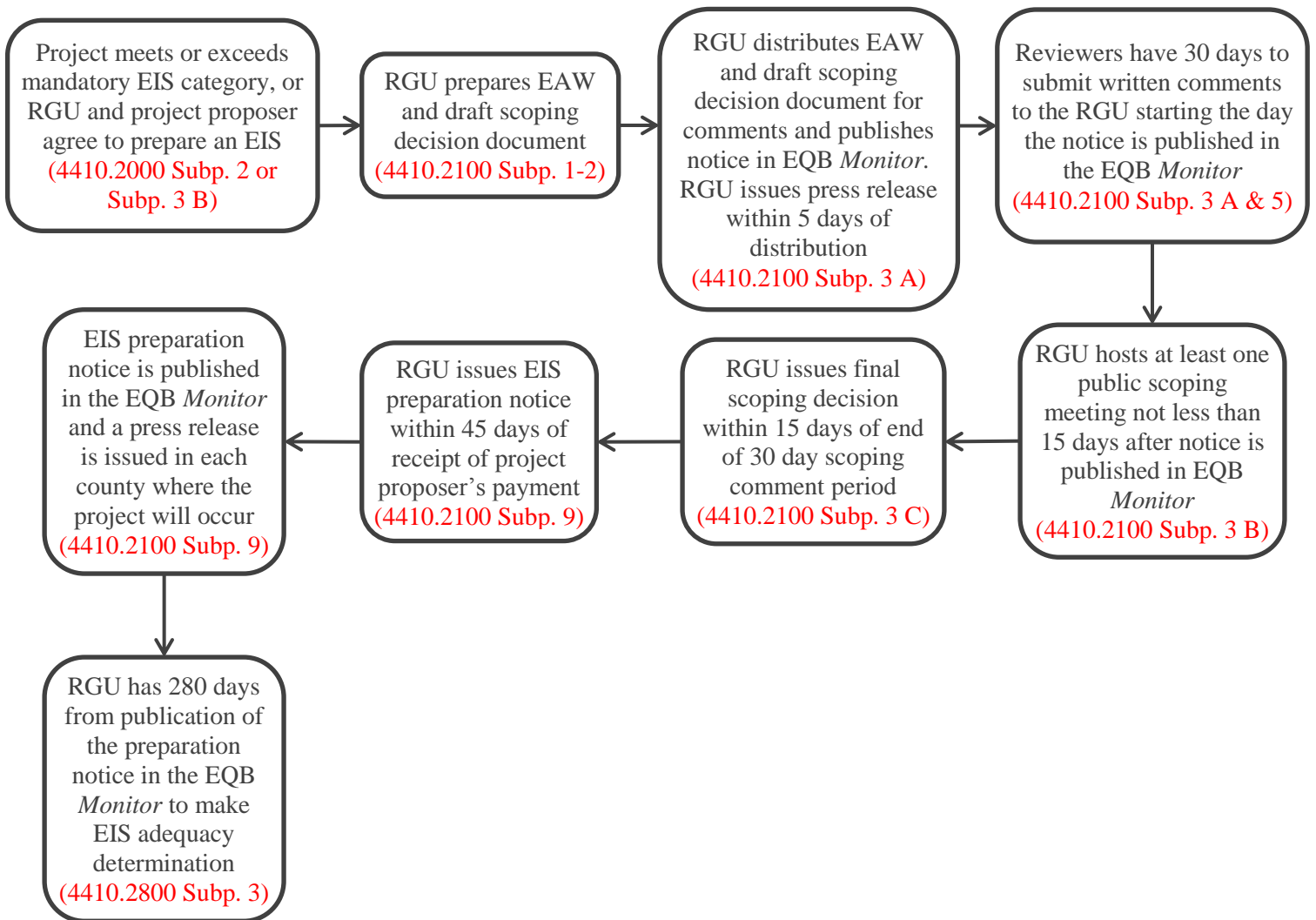
Projects that are not exempt nor require a mandatory environmental review can still go through the EIS process. As outlined in [Minnesota Rules 4410.1700](#), an RGU can order the preparation of an EIS after completing an EAW if the RGU determines that the proposed project has the potential for significant environmental effects, or if the RGU determines that an EIS will provide information needed to determine the project's potential for significant environmental effects. Discretionary environmental review can also occur when an RGU and project proposer agree to prepare an EIS per [Minnesota Rules 4410.2000](#), Subpart 3 B. This often occurs when both parties recognize that an order for an EIS will likely result from the EAW process and they wish to expedite the process.

Please note that this quick reference guide is not intended to substitute for [Minnesota Rules 4410](#). It is designed to help RGUs and others implement the environmental review process more effectively and efficiently. The guide does not alter the rules or change their meaning; if any inconsistencies arise between this guide and the rules, the rules take precedent. Please contact EQB Staff with any questions at Env.Review@state.mn.us or 651-757-2873.

EIS Scoping Process Steps for a *Mandatory or Voluntary EIS*

(Minnesota Rules 4410.2000 - 2100)

This EIS scoping process occurs when a project requires a mandatory EIS according to [Minnesota Rules 4410.2000](#), Subpart 2, or when the project proposer and RGU agree that an EIS should be prepared according to [Minnesota Rules 4410.2000](#), Subpart 3 B. The EIS scoping process occurs before the preparation of an EIS and is intended to reduce the scope and bulk of the EIS by identifying only the potentially significant issues related to the project, outlining the EIS document and preparation timeline, and determining the permits that require information in order to be developed concurrently to the EIS. **The flowchart below details the EIS scoping process for an EIS prepared pursuant to [Minnesota Rules 4410.2000](#), Subpart 2 or 3 B.**

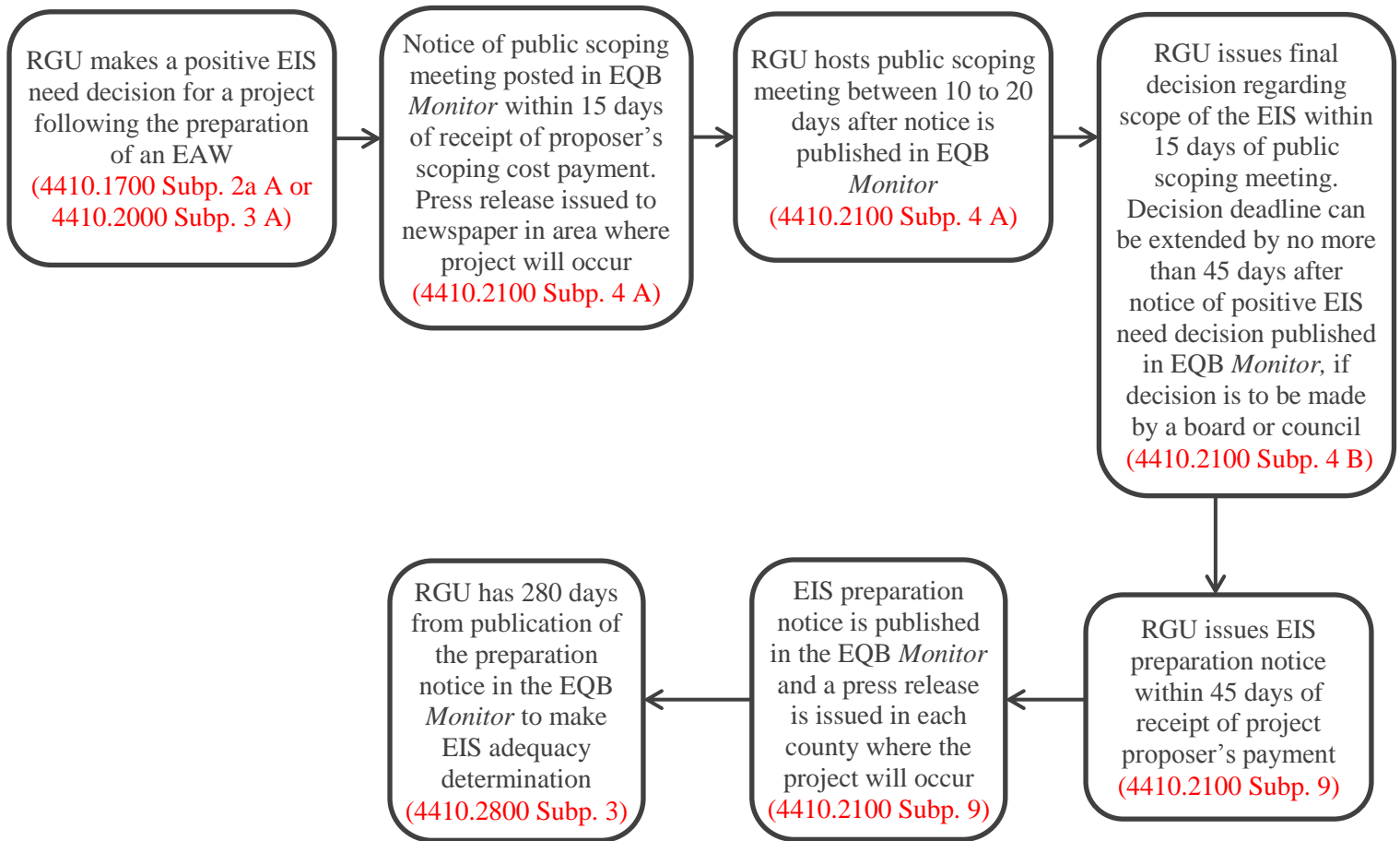




EIS Scoping Process Steps for a *Discretionary* EIS

(Minnesota Rules 4410.2000 - 2100)

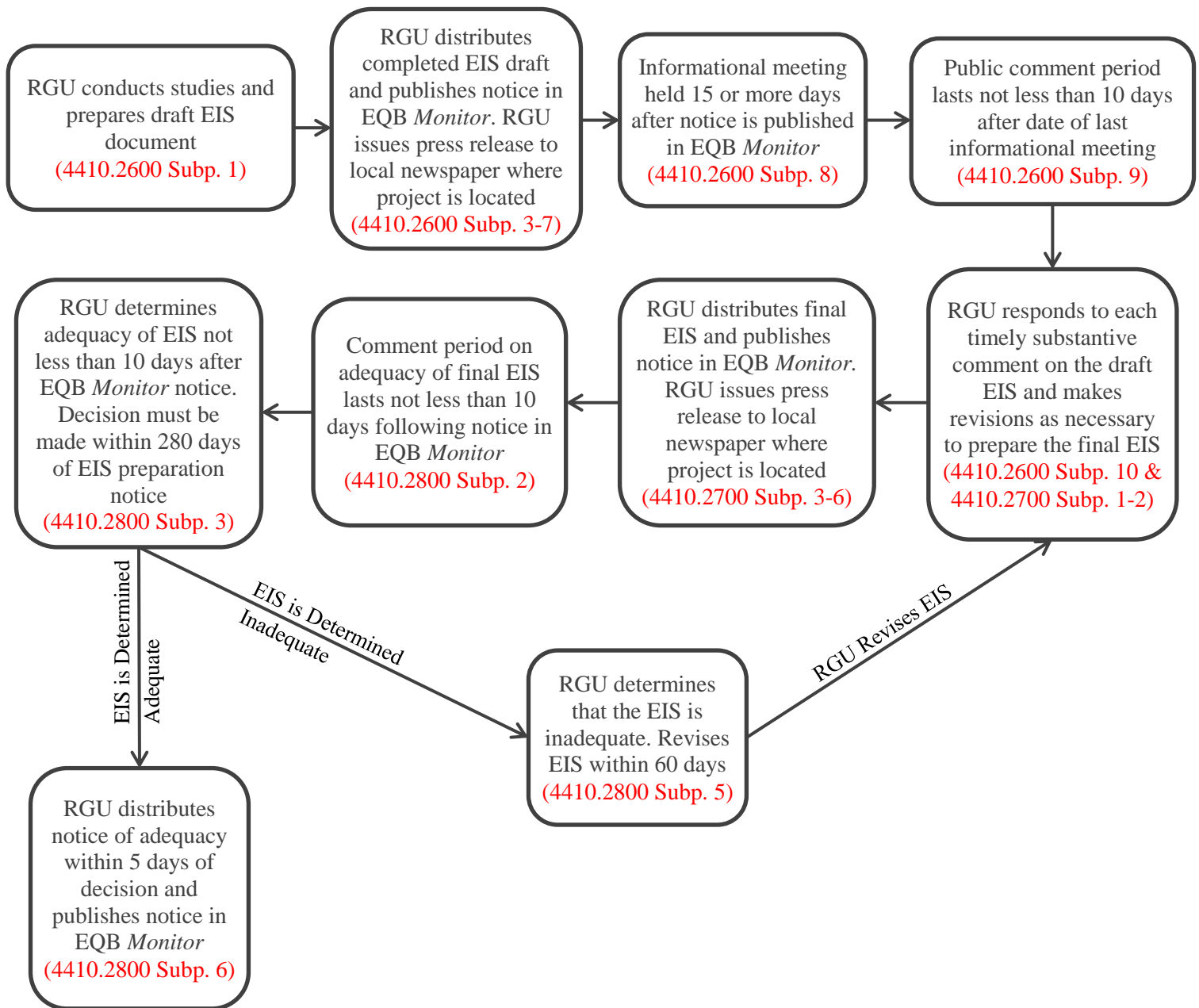
This EIS scoping process is the direct result of an RGU making a positive EIS need decision, after the completion of an EAW according to [Minnesota Rules 4410.1700](#), Subpart 2a A or [Minnesota Rules 4410.2000](#), Subpart 3 A. The EIS scoping process occurs before the preparation of an EIS and is intended to reduce the scope and bulk of the EIS by identifying only the potentially significant issues related to the project, outlining the EIS document and preparation timeline, and determining the permits that require information in order to be developed concurrently to the EIS. **The flowchart below details the EIS scoping process for an EIS prepared pursuant to [Minnesota Rules 4410.1700](#), Subpart 2a A or [Minnesota Rules 4410.2000](#), Subpart 3 A.**



EIS Preparation and Review Process Steps

(Minnesota Rules 4410.2200 - 2800)

The EIS preparation and review process occurs after either of the scoping processes outlined on page 2 and 3. The final EIS requires detailed analysis of the environmental, economic, employment and sociological impacts of the project, alternatives to the project, and mitigation measures for the project. There are opportunities for public comment on the EIS throughout the preparation and review process. Once the EIS preparation notice is published in the EQB *Monitor*, the RGU has up to 280 days to reach a determination on the adequacy of the final EIS document, unless extended for good cause per [Minnesota Rules 4410.2800](#), Subpart 3.



EIS Supplement Process Steps

(Minnesota Rules 4410.3000)

Under certain circumstances, a RGU may order a supplement to a completed EIS before a project is initiated. [Minnesota Rules 4410.3000](#), Subpart 3 details the circumstances that may require the preparation of an EIS Supplement. The EIS supplement preparation and review process follows the EIS process closely, but with a few differences detailed in the flowchart below. Once a RGU orders the preparation of an EIS supplement, the RGU has up to 120 days to reach a determination of adequacy for the EIS supplement, unless extended for good cause per [Minnesota Rules 4410.3000](#), Subpart 6.

