

Meeting Date: 6/19/2012

Agenda Item:

8.9)1)

City Council Agenda Report

City of Scandia

14727 209th St. North
Scandia, MN 55073 (651) 433-2274

Action Requested: Receive an update on the schedule for the Zavoral Mining and Reclamation Project Final EIS (Environmental Impact Statement) and consider whether or not to schedule any special meeting(s) relating to the EIS.

Deadline/ Timeline: See below.

Background:

- The comment period on the Draft EIS ended on May 18, 2012. The city received 68 separate letters and e-mails containing comments. All of the comments are posted on the city website, along with the transcript of the April 3, 2012 public meeting on the DEIS at which verbal comments were received.
- The next step in the process will be for the City of Scandia (as RGU, responsible governmental unit) to respond to the timely substantive comments on the DEIS consistent with the scoping decision. The RGU must discuss at appropriate points in the Final EIS any responsible opposing view relating to scoped issues which were not adequately discussed in the DEIS and shall indicate the RGU's response to the views. This includes written comments as well as the verbal comments made at the public meeting.
- The Final EIS will take the form of a document containing the written comments and the responses. If only minor changes to the Draft EIS are required, the document need not be re-written. If other than minor changes are required, the draft text will be rewritten so that necessary changes in the text are incorporated in the appropriate places.
- The City Council as RGU will need to authorize release of the Final EIS (similar to the action taken on February 28, 2012 to release the Draft EIS.)
- Copies of the Final EIS will be provided to agencies who were on the initial distribution list for the DEIS, any person who submitted substantive comments on the DEIS, and to the extent possible, to any person requesting the Final EIS.
- A notice of availability of the Final EIS will be published in the EQB Monitor. A period of at least 10 days for the public to comment on the adequacy of the Final EIS must be allowed.

- Then, the City Council must make a decision on the adequacy of the EIS.
- Once the decision has been made, additional notices must be published. If the city determines that the EIS is adequate, the process of reviewing permits for the project (the Conditional Use permit and any other required permits) may begin. Review of the Conditional Use Permit would take at least 60 to 120 days.

Recommendations: It is expected that the Final EIS will be available for City Council review by **Friday, July 13, 2012** and that the City Council could approve it for distribution as early as at its **Tuesday, July 17, 2012** regular meeting. Alternatively, the Council could schedule a special meeting to make this decision. Suggested dates for a special meeting are **Wednesday, August 1 or Wednesday, August 8, 2012**.

If the Council authorizes distribution of the Final EIS on one of the above dates, the notice of availability would be published in the EQB Monitor on **Monday, August 20, 2012**. The comment period would be recommended to close on **Monday, September 10, 2012**.

The Council decision on the adequacy of the EIS could be scheduled for the **Tuesday, September 18, 2012** regular Council meeting. Or, the Council could schedule a special meeting to make this decision. A possible date for a special meeting would be **Tuesday, September 25, 2012**.

No action by the Council is required at this time, but you should discuss whether or not you would like to handle matters related to the EIS at special meetings to avoid disruption to the Council's regular business. If so, it would be helpful to schedule those meetings as soon as possible to provide advance public notice.

**Attachments/
Materials provided:** None

Contact(s): Leslie Knapp, AECOM (763 551-2441)
Prepared by: Anne Hurlburt, Administrator

(Zavoral FEIS Schedule)