

Meeting Date: 12/20/2011
Agenda Item:

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 EIS (Environmental Impact Statement.) Changes to the schedule presented in November are necessary.

Deadline/ Timeline: N/A

Background:

- A preliminary Draft EIS was reviewed at the last meeting of the PAC (Project Advisory Committee) on November 16 and comments were accepted through December 1. Over 130 specific comments were received, which the city's consultants are now evaluating. Some will result in changes to the document before the "final" draft EIS is delivered to the city.
- Several of the comments require some input or additional information from the proposer (Tiller) before the draft EIS can be completed. These include suggestions that mitigation measures include switching the order of mining phases, excluding an area that was not mined in the past from future mining, and whether the entire operation could be completed on a shorter schedule than currently evaluated in the project alternatives. Tiller was informed that a prompt response from them was essential, but they have not yet submitted the requested information.
- The Minnesota DNR also requested that a new Natural Heritage Information (NHIS) data request be submitted, as the last one was in 2008. The DNR has informed AECOM that they will not be able to expedite the request and are not expected to respond until sometime in January.
- A key date in the schedule was a proposed special meeting of the City Council to review the Draft EIS and approve its release for the formal public comment period. This meeting had been scheduled for **Tuesday, January 31, 2012**. Staff and consultants are now recommending delaying this meeting to **Tuesday, February 28, 2012**.
- If the January 31 meeting is moved to Tuesday, February 28, it would result in the following estimated schedule for completion of the EIS:

March 19 2012	Notice of EIS availability appears in EQB Monitor; 45-day comment period begins
April 3, 2012	Public information meeting at Planning Commission meeting (must be held no later than 15 days after publication notice in EQB Monitor)
May 3, 2012	45-day comment period ends
May 4-June 29, 2012	Prepare and distribute responses to comments
July, 2012	Final EIS distributed 10-day comment period Council makes decision on adequacy of EIS Final notices 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: The proposed schedule of 2012 Council meetings includes the proposed February 28 special meeting. (The Council could choose an alternative date in the last week of February or the first week of March, and the project could remain on the schedule presented above.)

**Attachments/
Materials provided:**

- None

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(Zavoral EIS Schedule Update Dec 20 Council)