



A Citizen's Guide: Commenting on Environmental Review Projects



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It is simple and valuable for citizens to comment on proposed projects in their community. Comments can provide the Responsible Governmental Unit (RGU) with missing/inaccurate information on the proposal and /or provide input on possible solutions or alternatives that would reduce environmental impacts. The purpose of commenting on an environmental review project is not to cease the project, but to improve it.



Commenting can:

- Help state and local government make informed decisions that may reduce the potential for serious unintended environmental impacts.
- Provide information to the RGU that might not be available through other sources.
- Ensure that the RGU is addressing specific concerns raised by citizens.
- Give a project proposer and the RGU a better understanding of the public perception and concerns about the project.
- Lead to voluntary/required modifications, permit conditions or agreements.
- May encourage RGUs and project sponsors to consider environmental impacts and citizen concerns earlier in the projects' planning process.
- Ultimately result in better projects.

Overview

During the environmental review process, EAWs, EISs and AUARs require one or more mandatory comment periods that allows the public and other entities to review and submit comments on a project proposal.

Below is an example of how the commenting process works:



Finding comment periods

The most reliable method for finding out about an environmental review public comment period is reading a notice in the EQB Monitor. The EQB Monitor is published every other Monday and is available on the EQBs' website at: <https://www.eqb.state.mn.us/eqb-monitor>

Some other ways to find out about a project include:

- Notice on the property
- Press release in a local newspaper
- On the RGU's website
- Receiving a notice from a public interest group following the project
- Notifying public or private groups that have an interest in the proposal

Helpful tip:

Anyone who wants to receive a document has a legal right to do so if they submit a written request to the RGU. However, the RGU may require a reasonable fee for making copies of publicly available documents.

Length of comment periods

Environmental review requires a mandatory period of time during which RGUs can receive public comments. When an EAW, EIS or AUAR is available for comments the dates of the comment period will be listed in the EQB Monitor,



which is available on the EQB's website: <https://www.eqb.state.mn.us/eqb-monitor>. Make sure to file comments with the RGU before the comment period closes. The RGU can legally disregard untimely comments.

The table below outlines the different commenting periods for each method of environmental review:

Type of Environmental Review	Description	Comment Period	Calendar/Business Days
EAW	Provides a brief analysis and overview of the possible environmental impacts of a project.	30 Days	Actual calendar days
Draft AUAR	Helps prepare for the Final AUAR and required mitigation plan.	30 Days	Actual calendar days
Final AUAR and required mitigation plan	A planning tool used to understand how different development scenarios would affect the environment of the community.	10 Days	Business/working days
Scoping EAW (for an EIS)	A document similar to an EAW, but is used to outline the issues that will be addressed in an EIS.	30 Days	Actual calendar days
Draft EIS	An in-depth environmental analysis that frequently takes more than one year to complete and includes a mandatory public meeting.	≥ 25 Days	Business/working days
Final EIS	Although there is a 10-day public comment period for a Final EIS, no response to comments by the RGU is required.	10 Days	Business/working days

Accepted comments

The RGU is required to evaluate and respond to substantive comments. Substantive comments address the content or issue raised in the EAW, AUAR or EIS. For example, “The project developer is a jerk,” or, “I am against this project,” would not be considered substantive. Public comments are particularly valuable and helpful the RGU when they:

- List any inaccuracies in the EAW, EIS, AUAR or other accompanying documents.
- Show potential environmental impacts that haven't been identified by the proposer or the RGU.
- Show that certain environmental impacts have been identified, but haven't been adequately addressed.
- Suggest possible mitigation measures that should be added to the proposal

Clearly written comments are more useful to RGUs and are more likely to get some kind of action. For example, “I'm concerned about water quality,” may express your concerns, but, “My 50 foot-deep drinking water well is within a quarter mile of the proposed gravel mine,” will draw the RGUs' attention much better. Similarly, “I don't want a landfill in my neighborhood,” may be a legitimate concern, but the RGU could actually be in violation of state law if it denied the landfill permit for that reason alone. It would be better to identify other potential impacts by saying something like, “The additional traffic from this project creates public safety and air quality issues. There is a public school and two day-care centers along the proposed haul road to the new landfill”.

Writing a comment letter

The goal of commenting is to communicate concerns about the potential environmental effects of the project. If the comment fails to be both understandable and believable, then the effort put into that comment will be wasted. The following tips will help effectively communicate a comment to the RGU.



- **Be clear, concise and organized-** Decide what information needs to be said before you begin. Developing an outline helps put comments into a logical order.
- **Be specific-** *Saying that you are against a project will not have as much of an effect as saying why you are against it.* Try to give as much support as possible for each comment. Include as much factual information as possible. Refer to the page number or question number in your comment letter when responding to specific items addressed in the environmental review document.
- **Identify Possible Solutions-** Suggest possible solutions that the project proposer could implement to alleviate concerns about the project. It is okay to ask for analysis of different project configurations. Suggestions on reasonable alternatives and mitigation measures can improve a project.
- **Include your return address -** If submitting comments by e-mail make sure to include your home mailing address as well.

Commenting at public meetings

On occasion the RGU may hold a public meeting on a project, which will provide an opportunity to gather information and listen to comments. Public meetings are usually informal, so an exact record of public comments may not always be documented. You should bring a couple pieces of paper to write down concerns and questions, and then give your written comments to the RGU staff. Preparing written comments ahead of time or writing concerns on a comment card, if provided, and submitting it to the RGU staff is recommended. Submitting your comments in writing provides assurance that concerns and question are accurately recorded.

Submitting comments

Comments for the project must go to the RGU not the EQB, by letter or e-mail. To ensure that comments are properly received and addressed, always send letters to the contact listed in the notice of the EQB Monitor. Make sure to submit the original letter to the main RGU contact, if others would like to see the letter make photocopies for them. RGUs do not appreciate e-mail "spamming". The RGU is required to evaluate the merit of the issues being considered and 100 copies of the same e-mail will not contribute any additional information.

RGU responses to comments

According to environmental review rules, RGUs are required to provide a written response to all timely and substantive comments and distribute their responses to agencies on the EQB's distribution list. RGUs are also required to send a copy of their response to anyone who submitted comments during the public comment period and to anyone who requests, in writing, a copy of the RGU response. While RGUs usually do not respond to each commenter with an individual letter, they usually compile all of the timely and substantive comments received and the RGUs' responses to these comments into a single document. The RGU will then use public comments to determine if the proposer needs to make changes to the project or if the RGU needs to collect additional information about the likelihood for significant environmental effects.

About the EQB

The Environmental Quality Board (EQB) draws together the Governor's Office, the heads of nine state agencies and five citizens in order to develop policy and review proposed projects that could significantly influence Minnesota's environment. The Board staff is housed in the Minnesota Pollution Control Agency building.



About this document

This document was prepared as a result of an undergraduate research assistantship provided by the Center for Urban and Regional Affairs (CURA) New Initiatives Program. In 2005 University of Minnesota undergraduate student April Loeding and a team of EQB staff members, including Gregg Downing, Jon Larsen and John Wells, first prepared this document to streamline public understanding of the environmental review process. Heidi Johnson at the Department of Administration provided assistance in graphic design work for the publication. Dr. Terrence Cooper, a Professor at the University of Minnesota, served as the supervising faculty member for this project.

In 2014 the document was revised by University of Minnesota undergraduate student Amy Whooley and a team of EQB staff members, including Kate Frantz and Caroline Magnuson.

This document is not intended as a substitute for Environmental Quality Board rules and should be used in conjunction with the rule provision parts 4410.1000 to 4410.1700. Copies of the rules are available from Minnesota's Bookstore, www.minnesotasbookstore.com, or at the Revisor of Statutes homepage at www.revisor.mn.gov. Further information about the environmental review process is available in the Guide to Minnesota Environmental Review Rules, located on the EQB website. Upon request, this document will be made available in an alternate format, such as braille, large print or audiotape. For TTY, contact Minnesota Relay Service at 800-282-5077 and ask for the Minnesota Environmental Quality Board.

Addition information

Contact the Minnesota Environmental Quality Board at:

Environmental Review Program
520 Lafayette Road North
Saint Paul, MN 55155
(651) 757-2873
Website: www.eqb.state.mn.us
E-mail: Env.Review@state.mn.us

This document is available in PDF format on the Environmental Quality Board's website:
<https://www.eqb.state.mn.us/EnvironmentalReview>