

Mr. Hargis and Mr. Storm,

As Co-Chair of Citizens Against the Mesaba Project and as a member of the Citizens Advisory Task Force, I am requesting clarification regarding the “merit” of scoping comments received from citizens, CAMP, and the CATF. You indicated that all comments received during the scoping process had been reviewed. You also indicated that those comments would be available in the Final EIS, along with criteria for which it was decided the comment had merit or did not have merit.

So far, I have had difficulty finding any response to comments submitted by CAMP, the CATF, and the general public.

I am requesting that you send me the comments, along with the names and titles of the individuals who evaluated each particular comment. I would also like to know where in the DEIS that comment is referred to, who specifically determined the response to our comments was adequate, and why they determined it was adequate.

As I’m sure you realize, many people at the Taconite meeting felt the DEIS did not adequately address the scoping comments. The dialogue at the end of the meeting helped clarify some of the issues, and the rest could easily be cleared up by sending the information requested above.

Sincerely,

Ed Anderson
Citizens Against the Mesaba Project



Energy Facility Permitting
85 7th Place East, Ste 500
Saint Paul, MN 55155-2198
Minnesota Department of Commerce

December 26, 2007

Mr. Edward Anderson
Co-Chair, Citizens Against the Mesaba Project (CAMP)
P.O. Box 583
Grand Rapids, MN 55744

**Re: Request for information, dated December 12, 2007
Mesaba Energy Project, PUC Docket No. E6472/GS-06-668**

Dear Mr. Anderson,

The Department of Commerce (Department) Energy Facility Permitting (EFP) staff has received and reviewed your request, dated December 17, 2007, for additional information on how the scope of the Mesaba Energy Project Environmental Impact Statement (EIS) was developed.

The EIS scoping process is covered by Minnesota Rule 7849.5300, Subp. 2., and includes public meetings, a public comment period and, in this docket, a Citizen Advisory Task Force pursuant to Minnesota Rule 7849.5270. The purpose of the scoping process is to reduce the reach and bulk of the EIS by identifying the project specific issues and alternatives requiring analysis; this is achieved by soliciting comments from the general public, as well as, other governmental agencies on the range of environmental impacts that should be included in the EIS.

The Department EFP staff held two public scoping meetings. Approximately 300 individuals attended these meetings (159 signed the Taconite attendance list and 123 signed the Hoyt Lakes attendance list), including several who attended both meetings. All attendees were invited to provide comments, either written or oral, on the proposed project and issues that should be addressed in the EIS. Those attendees wishing to speak were given an opportunity to do so. Comment sheets were made available for all attendees wishing to provide written comments. A court recorder was present at each meeting to ensure that all oral comments were recorded and legally transcribed. Oral comments were presented by 50 individuals.

In all, 49 written comments were submitted via e-mail, U.S. Mail, or facsimile. Public comments on the scope of the environmental document, as well as other relevant documents, are available for review at the Energy Facility Permitting web-site; the web address is:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=16573>

All of the various (i.e., oral and written) comments submitted, including those from the Citizens Advisory Task Force (CATF), were reviewed and categorized into specific areas of concern.

This process does not include a written response to each individual comment or issue, but rather develops categories of issues for incorporation into the Scoping Decision. The comments themselves are not included in the Scoping Decision or EIS.

As the EFP project manager handling the Mesaba Energy Project (PUC Docket No. E6472/GS-06-668) for the Department, I reviewed the public comments and developed the Scoping Decision recommendation for the Commissioner.

As to the “merit” of a specific comment, each comment was considered in the development of the scope of the EIS, unless a given comment pertained to an issue(s) outside the regulatory authority of Minnesota Rule 7849.5010 – .6500. In this case, the Department has concluded that this facility qualifies as an “innovative energy project,” and because Minnesota Statute 216B.1694, subdivision 2, item 1, has exempted such a project from demonstrating need, issues related to the need, size or type of the facility are excluded from consideration in the scope of the environmental document. Thus, such comments were not incorporated into the Scoping Decision.

The Scoping Decision was signed by the Department Commissioner on September 13, 2006.

The draft EIS public information meetings and the subsequent public comment period allow the public and governmental agencies, the opportunity to comment on the Draft EIS.

The Department will respond to the timely substantive comments received on the Draft EIS consistent with the scoping decision and prepare the Final EIS. The comments on the Draft EIS will be tabulated and each comment will receive a response. This compilation of comments and the responses will constitute the Final EIS.

The Public Utilities Commission will judge the adequacy of the final EIS based on the following three items:

- If the FEIS addresses the issues and alternatives raised in scoping to a reasonable extent considering the availability of information and the time limitations for considering the permit application;
- If it provides responses to the timely substantive comments received during the DEIS review process; and
- If it was prepared in compliance with the procedures in parts 7849.5010 – 7849.6500.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

William Cole Storm
DOC EFP Staff