Minnesota Environmental Policy Act (MEPA)

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Minnesota State Environmental Review

- Minnesota Environmental Policy Act of 1973 (MEPA) (MS 116D)
- Minnesota Rules Chapter 4410 (MR 4410)
Classes of Actions

Environmental Impact Statement

- Threshold Criteria - *Environmental Impact Statement is required for construction of a road on a new location which is four or more lanes in width and two or more miles in length…MR 4410.4400 subp 16*
Classes of Actions (cont)

Exemptions

- Projects which clearly do not have the potential for significant environmental impacts
State Exemptions

- Highway safety improvement projects
- Traffic control devices...
- Modernization of an existing roadway or bridge by resurfacing, restoration, or rehabilitation...
- Roadway landscaping...
- Any stream diversion...within right of way
- Reconstruction or modification of an existing bridge structure on essentially the same alignment or location...

MR 4420.4600 subp 14
Classes of Actions (cont)

Environmental Assessment Worksheet

- For projects where the significance of the environmental impacts is unknown.
  - Project exceeds EAW Thresholds
  - Discretionary (petition, proposer volunteered)
State Environmental Assessment Worksheet - Thresholds

- Construction of a road on a new location over one mile that will function as a collector roadway

- For construction of additional travel lanes on an existing road for a length of one or more miles

- For the addition of one or more new interchanges to a completed limited access highway

MR 4410.4300 subp 14
Recent Developments Re: MEPA

- Traffic Analysis -- EAW for Question #22
  - If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW. Using the format and procedures described in the Minnesota Department of Transportation’s Traffic Impact Study Guidance or a similar local guidance, provide an estimate of the impact on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project’s impact on the regional transportation system.
Recent Developments Re: MEPA

Proposed EQB Rule Revisions – Comment period just closed

- Three major items in these proposed rule revisions:
  - Cumulative Potential Effects/Cumulative Impacts
  - Alternative Urban Areawide Review
  - Development within Shorelands
Recent Developments Re: MEPA

Cumulative Impacts/Cumulative Potential Effects

- ‘CARD v. Kandiyohi case -- MN Supreme Court ruling
- Use the term ‘cumulative potential effects’ in project-specific EAW/EIS documents, and the term ‘cumulative impact’ when considering the broad scale cumulative effects in a Generic EIS
- As a result, the Federal term ‘cumulative impact’ would be used in the same context as the State term ‘cumulative potential effects,’ not in the same context as the State term ‘cumulative impact.’
- Joint State/Federal documents will need to acknowledge the difference in terminology.
More information

EQB website
http://www.eqb.state.mn.us/EnvRevGuidanceDocuments.htm
Your Questions?