

**1558.0050 ENVIRONMENTAL ASSESSMENT WORKSHEETS.**

Subpart 1. **Reason for EAWs.** EAWs are prepared by the Minnesota Department of Agriculture as part of the release permit application in part 1558.0040. EAWs are designed to look at environmental effects associated with a proposed release. The EAW findings are used to determine if an EIS is needed, if the permit should be granted, and if any permit conditions are needed to mitigate or lower risks that have been identified by the EAW. The EAW must be written in plain and objective language and include a clear presentation of the proposed release and issues of concern. Information for EAWs must be submitted by the applicant on forms provided by the department as part of the permit application. The EAW, which is prepared by the department using information from the applicant and other sources, is intended to be a summary of the considerations in part 1558.0030 as they relate to the proposed release; however, supporting documents must be referenced and available upon request.

Subp. 2. **EAW considerations.** The applicant for a release permit must provide information addressing the considerations in part 1558.0030, subpart 1, so that a draft EAW can be prepared for any proposed release requiring an EAW. Federal documents may be used to address the considerations.

Subp. 3. **EAW review.** The EAW must be reviewed using an interdisciplinary approach that will ensure the integrated use of the natural and environmental sciences, including involvement of the following disciplines as appropriate: microbiology, ecology, public health, biological safety, agronomy, animal science, plant biology, risk assessment, molecular biology, biochemistry, entomology, vertebrate biology, physical and biological containment, and other appropriate disciplines. The notice of availability of the EAW and a 30-day public comment period must be published in the first available EQB Monitor.

Subp. 4. **EAW findings.** The commissioner shall issue findings of fact based on the EAW. The findings must determine if there is a potential for significant environmental effects. If there is a potential for significant environmental effects, an EIS must be prepared, and no permit may be issued until after preparation of an EIS. If there is a finding of no potential for significant environmental effects, and the commissioner chooses to decide on the permit application at this stage, the commissioner must base the decision to grant or deny the permit or impose conditions on granting a permit on the findings made under this part.

Subp. 5. **EIS preparation and review.** An EIS, if required, must be written and reviewed under the procedures in parts 4410.2000 to 4410.2300.

**Statutory Authority:** *MS s 18F.12*

**History:** *20 SR 1037*

**Published Electronically:** *August 6, 2013*