

What are the different levels of mitigation?

Relative to the state environmental review process, there are essentially three areas mitigation measures can fall under. The mitigation “areas” are derived from the criteria the defined Responsible Governmental Unit (RGU) will use when determining if the project under evaluation has the potential for significant environmental effects (Minnesota Rule 4410.1700, Subp. 7). The **first** includes measures where there is a regulatory mandate or requirement by law to do the mitigation. In other words, the proposed action requires a future permit or approval. The **second** includes commitments made for the project that the Responsible Governmental Unit (RGU) will take into consideration when making the environmental determination (need for an EIS or not). These commitments are not required by law or a regulatory mandate, but are actions that have been committed to include under the proposed action based on the defined impact. The **third** category includes actions that are to continue to be considered, but that do not have a firm commitment to implement. This third category would not be considered in the RGU’s decision on the need for an EIS.