

**MINNESOTA ENVIRONMENTAL QUALITY BOARD
MEETING MINUTES**

**Wednesday, March 20, 2013
MPCA Room Board Room, 520 Lafayette Road, St. Paul**

EQB Members Present: Dave Frederickson, Brian Napstad, John Saxhaug, Erik Tomlinson, Mike Rothman, John Linc Stine, Ed Ehlinger, Kate Knuth, Dave Schad (for Tom Landwehr), Kristin Duncanson, Katie Clark Sieben, Spencer Cronk, Charlie Zelle

EQB Members Absent: Julie Goehring, Tom Landwehr

Staff Present: Bob Patton, Kate Frantz, Jeff Smyser (EQB), Leah Hedman (AG), Beth Tegdesch (MPCA for EQB)

Chair Dave Frederickson called the meeting to order at 1:09 p.m.

I. Adoption of Consent Agenda and Minutes

A motion to adopt the Consent Agenda and approve the February 20, 2013, meeting minutes was made, seconded, and carried unanimously.

II. Introductions

III. Chair's Report

The Environmental Congress was very successful; 350 + in attendance, breakout sessions were very productive. Commissioner Frederickson thanks all the Board members who took the time to participate in this all-day event.

Environmental Congress Update: Ellen Anderson gave a summary on the Environmental Congress. She provided details on the Governor's Institute on Community Design follow up workshop on May 2nd. A final report will be posted on the website after the follow up workshops.

IV. Executive Director's Report

Ellen Anderson gave a brief summary on the silica sand legislation and what is going on at the Capitol; she went over some of the bills that have been introduced. Second policy deadline in the House and Senate is March 22nd and then more of the activity will move to the finance and tax committees.

The Governor's original budget request is to fund the EQB \$1million for the biennium.

V. 473H Eminent Domain Decision Item

Presenter: Jeff Smyser

Issue before the Board: Whether or not a proposed eminent domain action might have an unreasonable effect on agriculture and agricultural resources.

After Board discussion, the Resolution was approved and seconded. Roll call - 10 in favor, motion passes.

**RESOLUTION OF THE
MINNESOTA ENVIRONMENTAL QUALITY BOARD**

Regarding the Notice of Intent to Terminate Enrollment Status in the Metropolitan Agricultural Preserves for Certain Lands in Vermillion Township, Dakota County; by Northern State Power (Xcel Energy) for the Purpose of an Electrical Substation Site

BE IT RESOLVED, that the Minnesota Environmental Quality Board approves and adopts the Findings of Fact, Conclusions, and Order that no further action is required on the Notice of Intent to Terminate Enrollment Status in the Metropolitan Agricultural Preserves for Certain Lands in Vermillion Township, Dakota County; by Northern State Power (Xcel Energy) for the Purpose of an Electrical Substation Site; and

BE IT FURTHER RESOLVED, that David J. Frederickson, Chair of the Board, is authorized to sign the adopted Findings of Fact, Conclusions, and Order.

VI. Fillmore-Houston-Winona County Request for Re-Designation of RGU for Environmental Review

Presenter: Bob Patton

Issue before the Board: Whether to designate a state agency as the Responsible Governmental Unit (RGU) for silica sand mines proposed by Minnesota Sands LLC in Fillmore, Houston, and Winona Counties.

The Board amended #6 and #31 of the Findings of Fact, Conclusions of Law, and Order.

The following people provided testimony:

- David Williams, Lanesboro MN
- Duane Bakke, Fillmore County Commissioner
- Amanda Griggs, Houston County Protectors
- Johanna Rupprecht, Lewiston, MN – Land Stewardship Project

After discussion, the Resolution was approved and seconded. Roll call – 12 in favor, motion passes on a unanimous vote.

**RESOLUTION OF THE
MINNESOTA ENVIRONMENTAL QUALITY BOARD**

Designation of a Different Responsible Governmental Unit (RGU) for Environmental Review of Multiple Silica Sand Projects Proposed by Minnesota Sands, LL, in Fillmore, Houston, and Winona Counties

BE IT RESOLVED, that the Minnesota Environmental Quality Board approves and adopts the Findings of Fact, Conclusions, and Order designating the Environmental Quality Board as the Responsible Governmental Unit (RGU) for the environmental review of the proposed silica sand projects in Fillmore, Houston, and Winona Counties; and

BE IT FURTHER RESOLVED, that David J. Frederickson, Chair of the Board, is authorized to sign the adopted Findings of Fact, Conclusions, and Order.

VII. Silica Sand Report Discussion Item

Presenter: Jeff Smyser

Issue before the Board: Discuss finalized draft of the Silica Sand Report.

The following people provided testimony:

- Eric Bryan, Bryan Rock Products
- Scott Sustacek, Jordan Sands

John Linc Stine, Commissioner of the MPCA - Staff did a great job organizing it and he recommends to appropriately reference the document so that it can be housed in libraries and used by anyone who has interest so we can distribute it and have its content referenced by others as credible.

IX. Adjourn