



MINNESOTA

ENVIRONMENTAL QUALITY BOARD

520 Lafayette Road North, Saint Paul, MN 55155 | www.eqb.state.mn.us
Phone: 651-757-2873 | Fax: 651-757-2343

March 25, 2019

Meeting Location: St. James Hotel – Summit Room
406 Main Street
Red Wing, Minnesota
5:30 pm – 8:30 pm

AGENDA

Meeting Time and Location

This month's meeting will take place at the St. James Hotel Summit Room, 406 Main Street, Red Wing, MN. Due to the small group discussion nature of meeting, the Environmental Quality Board (EQB or Board) meeting will not be available for live viewing online.

Please note that seating for the meeting is limited. **Seating is available on a first come, first served basis.** Please RSVP to assist us in anticipating turnout for the meeting at:
<https://www.eventbrite.com/e/environmental-quality-board-meeting-nitrates-in-the-karst-region-tickets-58459501944>

If you need an accommodation for this event (i.e., sign language interpreter, braille, wheelchair accessibility, etc.), this can be made available upon advance request. This material can be given to you in different forms, like large print, braille, or on a recording. Please contact EQB staff at least one week prior to the event at info.EQB@state.mn.us to arrange an accommodation.

Public Engagement Opportunities at EQB Meetings

EQB encourages public input and appreciates the opportunity to build shared understanding with members of the public. The March 25 meeting includes facilitated small group discussions focused on gathering public input and fostering dialogue among state government representatives, community leaders, the public, and others.

March 25 Meeting Agenda

Please note that doors open at 5:00 pm and the formal program begins at 5:30 pm.

Be advised that the following agenda includes informational items and small group discussions.

Meeting Objectives

- Provide information about a General Environmental Impact Statement (GEIS) and why one was requested for nitrates in MN's karst region
- Discuss water quality challenges in the karst region and the extent to which the GEIS can serve as a tool used to address them

I. *Adoption of Consent Agenda

Proposed Agenda for March 25, 2019, Board Meeting

II. EQB Welcome & Introductions

Laura Bishop
EQB Chair; Commissioner
Minnesota Pollution Control Agency
651-757-2014

III. GEIS Overview

EQB and MPCA staff will present an overview of the GEIS process and discuss the proposed GEIS on nitrate contamination in the karst region.

Presenters:

Denise Wilson
Director Environmental Review Program
Environmental Quality Board
651-757-2523

Dave Benke
Division Director
Minnesota Pollution Control Agency
651-757-2221

Glenn Skuta
Division Director
Minnesota Pollution Control Agency
651-757-2730

Materials enclosed:

- MPCA Request to EQB to order a GEIS
- MPCA Legislative Fact Sheet – Investigate pollution in a sensitive ecology
- EQB Environmental Review Fact Sheet: Generic Environmental Impact Statements (GEIS)

** Items requiring discussion may be removed from the Consent Agenda*

- IV. Reflections on the GEIS: Opportunities, concerns, and how to move forward**
Meeting attendees and Board members will participate in small group discussions to share perspectives on the proposed GEIS for nitrates in the karst region of southeast MN. Meeting facilitators will guide the discussions and take notes on the conversations. The Board will use input gathered at the meeting to inform their future decision on ordering a GEIS.

- V. Share Meeting Themes**
A brief overview of reflections shared during the small group discussions.

Presenters:

Mariah Levison

Manager

Office for Collaboration and Dispute Resolution, Bureau of Mediation Services

651-539-1409

- VI. Closing Remarks and Next Steps**

- VII. Adjourn meeting**

January 4, 2019

David Frederickson, Chair
Minnesota Environmental Quality Board
625 Robert Street North
St. Paul, MN 55155

Dear Chair Fredrickson:

In follow-up to our discussion at the December 19, 2018, Minnesota Environmental Quality Board (EQB) meeting, I am formally requesting that the EQB order a generic environmental impact statement (EIS) under Minn. Rules pt. 4410.3800, subp. 3 to study and address nitrate pollution of groundwater in the geologically sensitive karst region of southeastern Minnesota.

As you know, the karst region is particularly susceptible to rapid seepage of contaminants from the land and overlying soils, making the groundwater of this region very vulnerable to contamination. The Minnesota Department of Health (MDH) and the Minnesota Department of Agriculture (MDA) together have extensive data documenting nitrate contamination of public and private drinking water wells. In particular, data recently compiled via the MDA Township Testing Program have found numerous townships in the karst region with private wells at or above the 10 milligrams per liter health risk limit for nitrate.

Nitrate in drinking water can pose a health risk to people, especially infants and the elderly. It is important to have a sound understanding of the sources of nitrate contamination of groundwater in order to properly minimize and manage potential impacts. However, this issue of nitrate contamination is bigger than any one project or site, and merits a generic EIS.

A generic EIS can help Minnesota citizens, businesses, and decision-makers better understand the nature, extent and sources of the nitrate contamination. This will provide insight into the actions needed to address the existing contamination that is the cumulative effect of current practices and activities, as well as inform the review of new projects. Such a generic EIS could be scoped to focus on the sensitive karst region of Minnesota, or could be expanded to include all areas with data showing nitrate contamination of groundwater.

I understand that completing such an EIS will require time and resources. While a decision is pending on a generic EIS, and while a generic EIS is underway if one is ordered, project-specific environmental review will continue as required by Minn. Rules pt. 4410.3800, subpts 8 and 9. The MPCA will continue to work with project proposers within our authority to mitigate potential impacts from new or expanding projects. At the same time, I strongly urge EQB to pursue a generic EIS as noted above, to provide the additional information needed to take a more holistic view of this significant problem, and to help Minnesota to go beyond mitigating the impact of new projects to also better address the existing nitrate contamination that already threatens human health and our environment.

Sincerely,



John Linc Stine
Commissioner

cc: Will Seuffert, EQB Executive Director

Investigate pollution in a sensitive ecology

Fund a comprehensive study of nitrate contamination of groundwater in Minnesota's karst region.

What's the issue?

Southeastern Minnesota is characterized by its karst geology, which features "porous" topography with underground drainage systems, sinkholes, and caves. The karst region is more vulnerable to pollution than other landscapes; contaminants can quickly find routes from the surface into groundwater. The Minnesota Department of Agriculture found that 19 of 24 townships in Fillmore County alone have private wells at or above the health risk limit for nitrates. Nitrates in drinking water can pose human-health risks, especially to infants and the elderly.

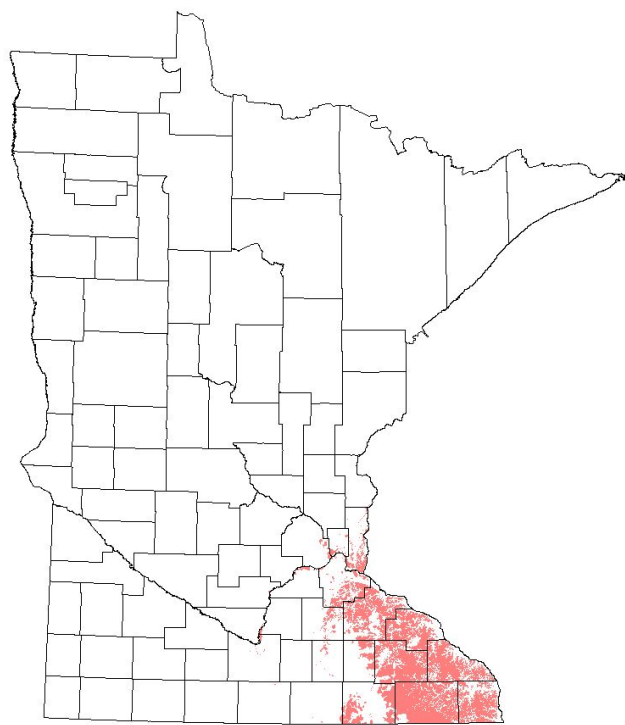
Proposal

Governor Walz is recommending funding for a generic environmental impact statement (GEIS), to study and address nitrate pollution of groundwater in the sensitive karst region of southeastern Minnesota. The GEIS would investigate the sources of nitrate, evaluate ways to prevent and address nitrate contamination, and inform the development and review of new projects. It would also report on the social, economic, and health impacts of current nitrate levels and engage southeast Minnesota communities in the process.

Why is it important?

The GEIS process will bring together state and local decision makers, technical experts, interested parties, and members of the affected communities to review collected data and identify how to refine programs or regulations to better protect the karst region from nitrate contamination. A complete GEIS would inform decisions on new and expanding projects in the region, and allow the public to participate in those decisions in more knowledgeable and meaningful ways.

Karst region of Minnesota



Courtesy of MN Dept. of Natural Resources

For more information

Greta Gauthier

Assistant Commissioner for Legislative &
Intergovernmental Relations

Minnesota Pollution Control Agency

greta.gauthier@state.mn.us

Office: 651-757-2031

Mobile: 651-338-8955



Stagecoach Spring by Watson Creek in Fillmore County

Generic Environmental Impact Statements (GEIS)

What is a Generic Environmental Impact Statement?

A Generic Environmental Impact Statement (GEIS) is an information gathering tool that can be helpful for understanding complex environmental issues.

In Minnesota, a GEIS can only be ordered by the Environmental Quality Board (Board). The purpose of the GEIS is to study projects that are not adequately reviewed on a case-by-case basis. The GEIS process is not a substitute for project specific environmental review. Rather, it is a means of providing a more comprehensive analysis of a given region, issue or type of activity. A GEIS can:

- Help Minnesota citizens, businesses, and decision-makers better understand an issue;
- Recommend changes to policies, programs and rules; and
- Provide information to help evaluate future proposed projects.

Who prepares the GEIS?

If the Board orders the preparation of a GEIS, it may act as the designated governmental agency, or designate a different governmental unit, to complete the GEIS. Whether the GEIS is prepared by the Environmental Quality Board or another governmental agency, the document must be prepared using an interdisciplinary approach that ensures a joint review of natural, environmental, and social issues.

What is included in the GEIS?

The preparation of a GEIS does not exempt specific activities from project-specific environmental review. While a GEIS is being prepared, other environmental review of a specific project can continue even if the project is within the scope of the GEIS. Other types of environmental review for individual projects include Environmental Assessment Worksheets and Environmental Impact Statements.

A GEIS includes a scoping process that gives the public an opportunity to submit comments to help identify the issues (the “scope”) that should be evaluated in the GEIS. At minimum, Minnesota Rules Chapter 4410.3800 subpart 7 requires that the following information be included in the scoping document and/or final GEIS report:

- the issues to be addressed;
- time limits for preparation;
- alternatives
- identification of potential impact areas;
- identification of necessary studies requiring compilation of existing information;

- any new data that has been gathered or the results of any new research that has been undertaken as part of the generic EIS preparation;
- description of the possible impacts and likelihood of occurrence, the extent of current use, and the possibility of future development for the type of action;
- alternatives including recommendations for geographic placement of the type of action to reduce environmental harm, different methods for construction and operation, and different types of actions that could produce the same or similar results as the subject type of action but in a less environmentally harmful manner; and
- if appropriate, a description of an alternative form of review that is proposed to be used to review specific projects whose impacts have been considered in the generic EIS. An alternative review proposal contained in a generic EIS must be approved by the EQB under part 4410.3600 prior to use.

When has a GEIS been used in the past?

Forestry GEIS: 1989-1994: In 1989, the Board ordered a GEIS on Timber Harvesting and Forest Management. The GEIS was managed by EQB and DNR staff. The Forestry GEIS is available here: <http://iic.umn.edu/catalog/geis>

Animal Agriculture GEIS: 1998-2002: In 1998, the EQB ordered a GEIS on Animal Agriculture. The GEIS was managed by EQB staff. The Animal Agriculture GEIS is available here: <https://www.eqb.state.mn.us/sites/default/files/geis/GEIS-AnimalAgFinal.pdf>

What should the EQB consider before ordering a GEIS?

Minnesota rules chapter 4410.3800 subpart 5 lists twelve criteria that the Board must consider when determining the need for a GEIS. The criteria are available here: <https://www.revisor.mn.gov/rules/4410.3800/>

For more information contact the Minnesota Environmental Quality Board:

Visit our website: www.eqb.state.mn.us/

Phone: 651-757-2873

Email: Env.Review@state.mn.us