

August 2025 Environmental Quality Board meeting

Wednesday, August 20, 2025 | 1:00-4:00 p.m. | 520 Lafayette Road, St. Paul, MN 55155, lower level conference room south and online via Teams.

Minutes

1. Welcome and roll call

Chair Nancy Daubenberger called to order the regular meeting of the Environmental Quality Board.

Members present: Peter Bakken, Joseph Bauerkemper, Ed Brands, Brooke Cunningham, Nancy Daubenberger, Todd Holman, Daniel Katzenberger, Paul Nelson, Thom Petersen, Angie Smith

Members excused: Grace Arnold, Tamar Gronvall, Rylee Hince, Katrina Kessler, Nicholas Martin, Sarah Strommen, Matt Varilek, Charles Zelle

Proxies present: Myra Kunas (for Cunningham), Melissa Kuskie (for Strommen), Peter Lindstrom (for Zelle), Jamie MacAlister (for Arnold), Kevin McKinnon (for Varilek), Peter Tester (for Kessler)

EQB staff present: Catherine Neuschler, Stephanie Aho, Rebeca Gutierrez-Moreno, Colleen Hetzel, Hazel Houle, Sarah Lerohl, Priscilla Villa-Watt, Kayla Walsh

Approval of consent agenda

- Meeting minutes from May 21, 2025, Environmental Quality Board meeting
- Proposed agenda for August 20, 2025, Environmental Quality Board meeting

Motion: Board Member Petersen moved to approve the consent agenda; Board Member Bakken seconded.

In favor: Bakken, Brands, Daubenberger, Holman, Katzenberger, Martin, Nelson, Petersen, Smith

Opposed: none

Excused: Arnold, Bauerkemper, Gronvall, Hince, Kessler, Martin, Strommen, Varilek

2. Executive Director's report

Catherine Neuschler – Executive Director, EQB

- Events
 - August 28: EQB staff with the Interagency Pollinator Protection Team (IPPT) at the EcoExperience for pollinator day at the Minnesota State Fair
 - September 6: EQB staff at the Minneapolis Monarch Festival
- Meetings
 - September 17: Full board meeting. Planning to ask for formal approval to move the energy rules forward, and then talk about the Climate Action Framework and the ongoing work to update
 - October 15: Full board, in person emphasis
- Project update: Staff are continuing to move forward on the gas production rules
- Data Centers: The appropriate environmental review of data centers is an emerging issue that we are increasingly hearing more about. One concern is the use of the Alternative Urban Areawide Review (AUAR) process to review these data centers, and whether that is resulting in sufficient information. The Minnesota Center for Environmental Advocacy (MCEA) has recently filed lawsuits on specific AUARs that seem to contain data centers.

3. Energy Rulemaking Notice update

Presenter: Colleen Hetzel – Director Environmental Review Program, EQB

Type of item: Informational

Summary: EQB staff provided an update on progress in developing revisions to the provisions of Minn. R. ch. 4410 related to energy infrastructure. These rules are being revised to conform with changes made during the 2024 legislative session in the Minnesota Energy Infrastructure Permitting Act and related changes.

Discussion:

- Both options presented to the Board would encompass the changes required to conform the rule; the difference in the options is how the rule will be written to conform with the new statute and related changes.
- There were no objections to staff moving forward with the preferred option presented.

Public comment:

- Alan Muller:
 - Option 2 appears to leave more flexibility than Option 1, and more openings for things to happen that might not be consistent with the intent of Minnesota's Environmental Review program. The revisions should be done in the way that minimizes the amount of damage to the effectiveness and integrity of the overall program that EQB is charged with.
 - Shifting the responsibility in the direction of the Minnesota Public Utilities Commission (PUC) is probably not in the public interest.

- Carol Overland:
 - There is an unprecedented amount of high voltage power line projects coming to Minnesota. The most recent legislation slashed public participation. There is no longer a citizen advisory task force. Those have been eliminated. As EQB makes these updates they should look at the impact on public participation; environmental assessments don't have the same iterative process as an EAW.
 - In her many years in this field as an attorney, Ms. Overland has seen the public's role going down and less review going forward.
 - Review for the PUC is done by the Minnesota Department of Commerce, which has its own agenda.
 - **EQB staff response:** The environmental review staff at Commerce that worked on behalf of PUC have been moved to PUC.

Outcome: The board understands the goal, scope, and possible options for structuring the rule changes and provided feedback to the staff. Feedback will inform rule revisions, which will be presented for board review and approval at the September board meeting.

4. 2025 Groundwater Policy Report approval

Presenter: Catherine Neuschler – Executive Director, EQB

Type of item: Decision

Summary: EQB staff have coordinated an interagency workgroup to draft the required 2025 Groundwater Policy Report. The board reviewed the preliminary outline in February. Public input on the purpose of the report and the overall outline was gathered in March, and an update was presented to the board in May.

Discussion:

- The 2015 Groundwater Policy Report was used as a starting point for the 2025 report, the current information mainly coming from state agencies and other reports.
- Geogenic contaminants are very significant addition to the report.
- Maybe for the next iteration of the report some language could be added noting there are authorities in all kinds of levels, e.g. state and local.
- Need more action on items in the report. We need to be able to move quickly and adapt quickly.
- Question as to why there were no gaps or opportunities identified in the chlorides section.
 - Answer: MPCA has done a lot of work on chloride plans and prepared that section of the report. Will check to make sure nothing missing in the report.
- Suggestion that staff identify and invite a relevant guest to present to the EQB the relationship between AUARs and data center developments.
- MDH is engaged in understanding the full impact of nitrates on health.

Public comment:

- John Finney, president of the Red River Watershed Management Board (RRWMB), provided written comments and input on the report in a letter to EQB on behalf of the RRWMB (attached to the August packet).
- Carol Overland:
 - One big problem with carbon capture is that it consumes 30% or more of a facility's power input. It's parasitic power.
 - When the carbon is captured, it's usually pumped into aquifers. And so what will be the impact if there's a sudden increase in pumping CO2 into aquifers? That can cause problems, like black well water in the vicinity.
 - There's a lot of talk and a lot of money going into carbon capture, but it's not really happening.
 - Very important to be thinking about these issues when looking at sustainable aviation fuel. Ethanol is a large part of the carbon capture and pipeline issue.
- Alan Muller:
 - It's frustrating to read the report because it seems to be more descriptive than a policy report in the sense of giving us a path forward.
 - The management of water resources in Minnesota is relatively ineffective, whether referring to groundwater or surface waters or atmospheric water.
 - The responsibility is divided among so many entities, so many levels of government, so many agencies that nobody is really held responsible for delivering a result. How can water resource management be integrated more effectively than it is? If the legislature or others are seeking advice from the EQB about how to improve water resource management, then a more integrated approach would be indicated, as opposed to a purely descriptive approach.

Motion: Board Member Cunningham moved to adopt the resolution approving the 2025 Groundwater Policy Report. Board Member Katzenberger seconded.

In favor: Bakken, Bauerkemper, Brands, Cunningham, Daubenberger, Holman, Katzenberger, Nelson, Petersen, Smith

Opposed: none

Excused: Arnold, Gronvall, Hince, Kessler, Martin, Strommen, Varilek

Outcome: The board reviewed and approved the 2025 Groundwater Policy Report.

5. Roots for the Future student project presentations

Presenter: Priscilla Villa-Watt – Communications and Engagement Coordinator, EQB and students from the Roots to the Future program.

Type of item: Informational

Summary: Roots to the Future, formerly Northside Safety NET (Neighborhoods Empowering Teens), is designed to equip youth from historically underrepresented communities with the education, skills, and connections needed to pursue careers in environmental fields. Over the past six weeks, high school students learned about various environmental topics and work happening in Minnesota. Students shared what they learned and how the summer program helped them develop new skills and learn about environmental careers and issues in Minnesota.

Discussion:

- Wonderful that the students are involved in public health from the environmental angle.
- Would be great if this program could be expanded, for example as an after-school program.
- As an associate professor of environmental studies at the University of Minnesota, Morris, Board member Brands is happy to be a resource.
- Hopefully EQB can invite students back again. Planning on more youth engagement in the future.

Outcome: The board learned about the youth program and heard first-hand what students took away from the six-week curriculum.

6. FY26 Workplan approval

Presenter: Catherine Neuschler – Executive Director, EQB

Type of item: Decision

Summary: The Executive Director presented the proposed organizational workplan for FY26.

Discussion:

- Some concerns about having the capacity to complete some items on the continuous improvement plan in a timely manner. Every time EQB asks for public comment or other ideas, there's an expectation that staff will get to those soon.

Public comment: There were no comments.

Motion: Board Member Holman moved to adopt the resolution approving the FY26 Workplan. Board Member Brands seconded.

In favor: Bakken, Bauerkemper, Brands, Cunningham, Daubenberger, Holman, Katzenberger, Nelson, Petersen, Smith

Opposed: none

Excused: Arnold, Gronvall, Hince, Kessler, Martin, Strommen, Varilek

Outcome: The Board reviewed and approved the organizational workplan and approved authority to implement it.

7. Public Comment

- Carol Overland provided comments and input in a letter to EQB (attached to the August packet) and provided additional verbal public comment:
 - Re: AUAR guidance on the work plan; there needs to be guidance about what the AUAR process is for, how it should be used and more specifically how it shouldn't be used, as data center proposers are using AUARs to hide details.
 - Water and electricity are going to be huge issues with data centers, as well as noise they're being built right up against residences/subdivision lines. As environmental review regulators, EQB should look at data center regulations.
 - Go to <https://legalectric.org/> to get more information.

8. Closing and adjournment

Having reached the end of the agenda, the Chair asked if there was any further business.

Adjournment:

With no further business, the Chair adjourned the meeting.