



# December 2022 Environmental Quality Board meeting packet

**Wednesday, December 14, 2022 | 1:00–4:00 p.m.**

**Join in person or online**

- In person: [520 Lafayette Road, St. Paul, MN 55155](#), lower level conference rooms
- [Join online](#)

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## Participating in meetings

### Attending in person

The Environmental Quality Board (EQB) will convene its meeting in person in the lower level conference rooms at the Minnesota Pollution Control Agency St. Paul office building. All visitors must sign in at the front desk. Transportation options:

- Bicycle: Visit the [Saint Paul Bike Map](#) webpage for route information. Outdoor bicycle parking is available to the left of the front doors near the loading dock.
- Transit: Use [Metro Transit's Trip Planner](#) to determine the best routes and times.
- Car: You may park in a Visitor Parking space in the parking lot just outside the front door, or park in one of the visitor lots. The visitor lots are the Blue Lot (Olive St. and University Ave.) and the Jupiter Lot (on Grove St. across from the Ramsey County Law Enforcement Center); please see the [parking map](#). Parking in these lots is free of charge. You must register your vehicle at the front desk upon arrival.

### Attending virtually

Members of the public may join the meeting virtually using the Webex link above. Please review the [Guide to Webex Participation](#) for additional information.

### Accessibility

Please contact Environmental Quality Board (EQB) staff at least one week prior to the event at [info.EQB@state.mn.us](mailto:info.EQB@state.mn.us) to arrange an accommodation. Meeting materials can be provided in different forms, such as large print, braille, or on a recording.

## Public engagement opportunities at EQB meetings

EQB encourages public input and appreciates the opportunity to build shared understanding with members of the public. The opportunities for public engagement for this meeting are below.

### Oral public comment

In this meeting, EQB will accept oral public comment during agenda items 4 and 5.

Procedure and guidelines for giving oral public comment:

- If you wish to speak:
  - In person: sign up at the welcome table before the meeting starts.
  - Virtual: when prompted, use the “raise hand” feature in Webex, located at the bottom of your screen.
- Your remarks will be limited to two (2) minutes. When necessary, the chairperson may limit commenters’ time for remarks to ensure there is equal opportunity for the public to comment.
- When the chairperson calls on you to speak:
  - Introduce yourself before beginning your comment.
  - Please keep your remarks to those facts which are relevant and specific, as determined by the chairperson, to the agenda item at hand.
  - Please be respectful of board members, staff, and other meeting participants. Avoid questioning motives. The chair, vice-chair, or other presiding officer will not tolerate personal attacks.
  - Please note that the chair will use their discretion for directing public comment to ensure the board’s ability to effectively conduct business.

### Written public comment

You may submit written comment to EQB by emailing your letter to [info.EQB@state.mn.us](mailto:info.EQB@state.mn.us) or mailing to: Environmental Quality Board, 520 Lafayette Road, Saint Paul, MN 55155. Comments must be received by EQB staff **by noon the day before the meeting**.

Staff will compile letters, make them available to members and the public online, and attach them to the public record. Any written comments received after this deadline will be included in the next EQB meeting packet.

## Agenda

### 1. Welcome and roll call

- Nancy Daubenberger – Chair EQB, Commissioner, Department of Transportation

### 2. Approval of consent agenda

- Meeting minutes from the November 16, 2022, EQB meeting (packet page #5)
- Proposed agenda for the December 14, 2022, EQB meeting (packet page #3)

### 3. Executive Director’s report

Erik Cedarleaf Dahl – Interim Executive Director, EQB

### 4. Summary of Subcommittee for Pilot Program Implementation discussion and recommendations

Presenter: Nicholas Martin - Chair, SPPI

### 5. Summary of Environmental Review Implementation Subcommittee discussion and recommendations

Presenter: Commissioner Sarah Strommen- Chair, ERIS

### 6. Approval of December 2022 Environmental Assessment Worksheet form

Board members will consider support for Chair approval of the proposed December 2022 Environmental Assessment Worksheet form to be used by all responsible governmental units, which includes new questions that prompt consideration of greenhouse gas quantification and assessment as well as new questions that prompt consideration of climate adaptation and resiliency information. (packet page #8).

**Presenter:** Denise Wilson

**Materials enclosed:**

- Resolution
- December 2022 Environmental Assessment Worksheet form
- Draft Implementation Plan

More background information for agenda items 4, 5, and 6 may be found on the [Climate Assessment and Environmental Review](#) Web page.

**Public comment on December 2022 Environmental Assessment Worksheet form**

EQB welcomes public comment on agenda item 6. Please see guidance and procedures on page 2.

### 7. Summary of the Continuous Improvement Process for Environmental Review

Board members will hear a presentation detailing the intent, process, and timeline for the continuous improvement process for the environmental review program. This presentation will introduce the Board to project leaders, including the project consultants.

**Presenter:** Kayla Walsh, Karen Gaides, Mariyam Naadha

**Materials enclosed:**

- Factsheet on the Continuous Improvement Process for the Environmental Review Program (packet page #27)

## **8. Public Comment**

EQB welcomes public comment. Please see guidance and procedures on page 2.

## **9. Closing & adjournment**



# November 2022 Environmental Quality Board Meeting

Wednesday, November 16, 2022 | 1:00-4:00 p.m. | 520 Lafayette Road, St. Paul, MN 55155, lower level conference rooms and online via Webex

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## Minutes

### 1. Welcome and roll call

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

- December meeting date will be Dec. 14, 2022, from 1-4 p.m.
- Congratulations to Public Member Julie Goehring for over 15 years of service on the board.

Members present: Grace Arnold, Alice Roberts-Davis, Gerald Van Amburg, Julie Goehring, Mehmet Konar-Steenberg, Nick Martin, Peter Bakken, Nancy Daubenberger, Rylee Hince, Katrina Kessler, Paul Nelson, Thom Petersen, Sarah Strommen, Joseph Bauerkemper

Members excused: Steve Grove, Jan Malcolm, Charles Zelle

Proxies present: Dan Huff (for Malcolm), Kevin McKinnon (for Grove), Sue Vento (for Zelle)

### 2. Approval of consent agenda

- Meeting minutes from September 21, 2022, Environmental Quality Board meeting
- Proposed agenda for November 16, 2022, Environmental Quality Board meeting

Motion: Chair Nancy Daubenberger moved the consent agenda; Board Member Katrina Kessler seconded. Motion carries with a unanimous voice vote.

### 3. Executive Director's report

Erik Cedarleaf Dahl – Interim Executive Director, Environmental Quality Board

- Board member appointment for congressional district 7 appointment is pending, and the appointment for district 3 is now open for applications. Please apply via the Minnesota Secretary of State website.
- Minnesota Environmental Policy Act (MEPA) and Environmental Congress update
- Welcome Hazel to the staff as executive aide: Hazel Houle recently returned from California after working for the State of California Center for Judicial Education and Research.

### 4. Approval of 2022 Minnesota State Agency Pollinator Report and discussion about the pollinator action framework

Dr. Rebeca Gutierrez-Moreno, State Pollinator Coordinator at the Environmental Quality Board, gave an overview of the pollinator issue, the draft Minnesota Pollinator Action Framework, the draft 2022 Minnesota State Agency Pollinator Report, and next steps. The board discussed the presentation; there were no public comments.

Board considered the resolution: Approve 2022 Minnesota State Agency Pollinator Report, support cross-agency collaboration to finalize development of Action Framework, support cross-agency collaboration to continue strategic work to protect pollinators and advance public engagement, and convene future meetings to monitor progress and invite public input.

Board Member Katrina Kessler motioned to approve resolution. Board Member Paul Nelson seconded. All in favor (see attached voting record).

### 5. Discussion on the 2023 Environmental Congress

Faith Krogstad, Engagement and Communications Director at the Environmental Quality Board, presented on the purpose of congress in statute, overview of recent congresses, and ideas gathered for the 2023 congress. The board discussed their ideas for the 2023 congress, responding to the following questions: What is most important to do? What format will work well? How should we approach planning for event?

### 6. Public comment

There was no public comment.

### 7. Closing and adjournment

Board Member Peter Bakken carries motion to adjourn. Board Member Rylee Hince seconds. All in favor; meeting adjourned.



## EQB Meeting Voting Record

Date 11/16/2022

### Agenda item

Approval of 2022 Minnesota State Agency Pollinator Report

#### Motion

Approve the 2022 Minnesota State Agency Pollinator Report, to be released by December 1, 2022. Support cross-agency collaboration to finalize the development of the Pollinator Action Framework by the summer of 2023. Support cross-agency collaboration to continue strategic work to protect pollinators and advance public engagement efforts. Convene future meetings to monitor progress and invite public input.

*Moved by* Kessler

*Seconded by* Nelson

### Board member votes

	First name	Last name	Aye	Nay	Abstain	Not present
1	Grace	Arnold	1			
2	Peter	Bakken	1			
3	Joseph	Bauerkemper	1			
4	Nancy	Daubenberger	1			
5	Julie	Goehring	1			
6	Steve	Grove				1
7	Rylee	Hince	1			
8	Katrina	Kessler	1			
9	Mehmet	Konar-Steenberg	1			
10	Jan	Malcolm				1
11	Nicholas	Martin	1			
12	Paul	Nelson	1			
13	Thom	Petersen	1			
14	Alice	Roberts-Davis	1			
15	Sarah	Strommen	1			
16	Gerald	Van Amburg	1			
		<b>Total</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>2</b>



## Resolution of the Minnesota Environmental Quality Board

### Resolution topic

The purpose of the Minnesota Environmental Review Program is to provide understanding of the impact a proposed project will have on the environment, through the preparation and public review of environmental documents. (Minn. R. 4410.0300 subpart 3)

Environmental documents are used as guides in issuing, amending, and denying permits and carrying out other responsibilities of governmental units to avoid or minimize adverse environmental effects and to restore and enhance environmental quality. (Minn. R. 4410.0300 subpart 3)

Environmental Quality Board (Board) members will consider support for Chair approval of the proposed December 2022 Environmental Assessment Worksheet form to be used by all responsible governmental units, which includes new questions that prompt consideration of greenhouse gas quantification and assessment as well as new questions that prompt consideration of climate adaptation and resiliency information.

### Applicable authorities

Minnesota Rules chapter 4410 are issued under authority granted in Minnesota Statutes, chapter 116D, to implement the environmental review procedures established by the Minnesota Environmental Policy Act.

The Board chair has the authority to develop an Environmental Assessment Worksheet form to be used by the responsible governmental unit. The Environmental Assessment Worksheet form shall be assessed by the EQB chair periodically and may be altered by the EQB chair to improve the effectiveness of the document. (4410.1300 EAW Form)

### Applicable responsibilities

The Board is responsible for monitoring the effectiveness of the state environmental review program and is directed by rule to take appropriate measures to modify and improve the effectiveness. (Minn. R. 4410.0400)

The Environmental Assessment Worksheet shall address the major issues sections identifying potential environmental impacts and issues that may require further investigation before the project is commenced. (4410.1200)

Environmental documents shall contain information that addresses the significant environmental issues of a proposed action. (Minn. R. 4410.0300)



## Considerations

Climate change is identified as a potentially significant environmental issue by:

- The legislature: Minnesota Next Generation Energy Act in 2007
- The Intergovernmental Panel on Climate Change (IPCC)
- Board members: 2019 biennial work plan
- Governor Walz: Executive Order 19-37

The Board established an interagency climate technical team to evaluate the effectiveness of the Environmental Review Program in response to concerns that the July 2013 Environmental Assessment Worksheet form does not adequately consider climate change.

The interagency climate technical team proposed draft recommendations for Environmental Assessment Worksheet (EAW) changes in December 2020.

Based on consideration of public feedback on the 2020 draft EAW recommendations, the Board convened a Subcommittee for Pilot Program Implementation to design a pilot program to get more information on the proposed changes from pilot participants.

From January 2021 through September 2022, staff implemented the pilot program designed by the Subcommittee and collected nine months of feedback from pilot participants.

On August 31, 2022, the Subcommittee met and affirmed effective implementation of the pilot program.

On October 19, 2022, the Environmental Review Implementation Subcommittee considered feedback received from pilot participants. ERIS directed staff to present the December 2022 Environmental Assessment Worksheet form for Board consideration and directed staff to develop an implementation plan.

## Conclusions

The Subcommittee for Pilot Program Implementation and the Environmental Review Implementation Subcommittee recommend Board approval of the December 2022 Environmental Assessment Worksheet form, based on the process described above, public feedback on the Interagency Climate Technical Team's draft recommendations, and feedback from pilot participants on the final recommendations.

## Findings

The Board determined, after considering the Subcommittee for Pilot Program Implementation and the Environmental Review Implementation Subcommittee conclusions, as well as all the reasoning stated above, that adopting the December 2022 Environmental Assessment Worksheet form will improve the effectiveness of the form.

## Resolution

Environmental Quality Board members support the chair in replacing the July 2013 Environmental Assessment Worksheet form with the December 2022 Environmental Assessment Worksheet form, in accordance with the authorities and responsibilities identified in Minnesota Statutes 116D and Minnesota Rules chapter 4410. All project reviews that begin after this date must use the approved form; projects currently underway which are not already using the newly approved form may continue to use the prior approved form.

Approved and adopted this 14th day of December 2022.

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Nancy Daubengerger  
Chair, Minnesota Environmental Quality Board

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# Environmental Assessment Worksheet

This most recent Environmental Assessment Worksheet (EAW) form and guidance documents are available at the Environmental Quality Board’s website at: <https://www.egb.state.mn.us/> The EAW form provides information about a proposed project’s potential environmental effects, and also used as the basis for scoping an Environmental Impact Statement. Guidance documents provide additional detail and links to resources for completing the EAW form.

**Cumulative potential effects** can either be addressed under each applicable EAW Item or can be addressed collectively under EAW Item 21.

**Note to reviewers:** Comments must be submitted to the RGU during the 30-day comment period following notice of the EAW in the *EQB Monitor*. Comments should address the accuracy and completeness of information, potential impacts that warrant further investigation and the need for an EIS.

**1. Project title:**

**2. Proposer:**

**3. RGU**

Contact person:  
 Title:  
 Address:  
 City, State, ZIP:  
 Phone:  
 Fax:  
 Email:

Contact person:  
 Title:  
 Address:  
 City, State, ZIP:  
 Phone:  
 Fax:  
 Email:

**4. Reason for EAW Preparation:** (check one)

Required:

- EIS Scoping
- Mandatory EAW

Discretionary:

- Citizen petition
- RGU discretion
- Proposer initiated

If EAW or EIS is mandatory give EQB rule category subpart number(s) and name(s):

**5. Project Location:**

- County:
- City/Township:
- PLS Location ( $\frac{1}{4}$ ,  $\frac{1}{4}$ , Section, Township, Range):
- Watershed (81 major watershed scale):
- GPS Coordinates:
- Tax Parcel Number:

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**At a minimum attach each of the following to the EAW:**

- County map showing the general location of the project;
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable); and
- Site plans showing all significant project and natural features. Pre-construction site plan and post-construction site plan.
- List of data sources, models, and other resources (from the Item-by-Item Guidance: *Climate Adaptation and Resilience* or other) used for information about current Minnesota climate trends and how climate change is anticipated to affect the general location of the project during the life of the project (as detailed below in item 7. Climate Adaptation and Resilience).

**6. Project Description:**

- a. Provide the brief project summary to be published in the *EQB Monitor*, (approximately 50 words).
- b. Give a complete description of the proposed project and related new construction, including infrastructure needs. If the project is an expansion include a description of the existing facility. Emphasize: 1) construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes, 2) modifications to existing equipment or industrial processes, 3) significant demolition, removal or remodeling of existing structures, and 4) timing and duration of construction activities

c. Project magnitude:

Description	Number
Total Project Acreage	
Linear project length	
Number and type of residential units	
Residential building area (in square feet)	
Commercial building area (in square feet)	
Industrial building area (in square feet)	
Institutional building area (in square feet)	
Other uses – specify (in square feet)	
Structure height(s)	

- d. Explain the project purpose; if the project will be carried out by a governmental unit, explain the need for the project and identify its beneficiaries.
- e. Are future stages of this development including development on any other property planned or likely to happen?  Yes  No  
If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.
- f. Is this project a subsequent stage of an earlier project?  Yes  No  
If yes, briefly describe the past development, timeline and any past environmental review.

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**7. Climate Adaptation and Resilience:**

- a. Describe the climate trends in the general location of the project (see guidance: *Climate Adaptation and Resilience*) and how climate change is anticipated to affect that location during the life of the project.
- b. For each Resource Category in the table below: Describe how the project’s proposed activities and how the project’s design will interact with those climate trends. Describe proposed adaptations to address the project effects identified.

<b>Resource Category</b>	<b>Climate Considerations</b> (example text provided below is to be replaced with project-specific information)	<b>Project Information</b>	<b>Adaptations</b>
Project Design	For example, aspects of the building architecture/materials choices and site design that may negatively affect urban heat island conditions in the area considering changing climate zones, temperature trends, and potential for extended heat waves	Climate change risks and vulnerabilities identified include:	
Land Use	For example, any critical facilities (i.e. facilities necessary for public health and safety, those storing hazardous materials, or those with housing occupants who may be insufficiently mobile) that are proposed in floodplain areas and other areas identified as at risk for localized flooding; describe the risk potential considering changing precipitation and event intensity	Climate change risks and vulnerabilities identified include:	
Water Resources	Address in item 12	Address in item 12	Address in item 12
Contamination/ Hazardous Materials/Wastes	For example, how current Minnesota climate trends and anticipated climate change in the general location of the project may	Climate change risks and vulnerabilities identified include:	

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Resource Category	Climate Considerations (example text provided below is to be replaced with project-specific information)	Project Information	Adaptations
	influence the potential environmental effects of generation/use/storage of hazardous waste and materials		
Fish, wildlife, plant communities, and sensitive ecological resources (rare features)	Address in item 14.	Address in item 14.	Address in item 14.

8. **Cover types:** Estimate the acreage of the site with each of the following cover types before and after development:

Cover Types	Before (acres)	After (acres)
Wetlands and shallow lakes (<2 meters deep)		
Deep lakes (>2 meters deep)		
Wooded/forest		
Rivers/streams		
Brush/Grassland		
Cropland		
Livestock rangeland/pastureland		
Lawn/landscaping		
Green infrastructure TOTAL (from table below*)		
Impervious surface		
Stormwater Pond (wet sedimentation basin)		
Other (describe)		
<b>TOTAL</b>		

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<b>Green Infrastructure*</b>	<b>Before (acreage)</b>	<b>After (acreage)</b>
Constructed infiltration systems (infiltration basins/infiltration trenches/ rainwater gardens/bioretenion areas without underdrains/swales with impermeable check dams)		
Constructed tree trenches and tree boxes		
Constructed wetlands		
Constructed green roofs		
Constructed permeable pavements		
Other (describe)		
<b>TOTAL*</b>		

<b>Trees</b>	<b>Percent</b>	<b>Number</b>
Percent tree canopy removed or number of mature trees removed during development		
Number of new trees planted		

**9. Permits and approvals required:** List all known local, state and federal permits, approvals, certifications and financial assistance for the project. Include modifications of any existing permits, governmental review of plans and all direct and indirect forms of public financial assistance including bond guarantees, Tax Increment Financing and infrastructure. *All of these final decisions are prohibited until all appropriate environmental review has been completed. See Minnesota Rules, Chapter 4410.3100.*

<b>Unit of Government</b>	<b>Type of Application</b>	<b>Status</b>

Cumulative potential effects may be considered and addressed in response to individual EAW Item Nos. 10-20, or the RGU can address all cumulative potential effects in response to EAW Item No.22. If addressing cumulative effect under individual items, make sure to include information requested in EAW Item No. 21.

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### 10. Land use:

- a. Describe:
  - i. Existing land use of the site as well as areas adjacent to and near the site, including parks and open space, cemeteries, trails, prime or unique farmlands.
  - ii. Plans. Describe planned land use as identified in comprehensive plan (if available) and any other applicable plan for land use, water, or resources management by a local, regional, state, or federal agency.
  - iii. Zoning, including special districts or overlays such as shoreland, floodplain, wild and scenic rivers, critical area, agricultural preserves, etc.
  - iv. If any critical facilities (i.e. facilities necessary for public health and safety, those storing hazardous materials, or those with housing occupants who may be insufficiently mobile) are proposed in floodplain areas and other areas identified as at risk for localized flooding, describe the risk potential considering changing precipitation and event intensity.
- b. Discuss the project's compatibility with nearby land uses, zoning, and plans listed in Item 9a above, concentrating on implications for environmental effects.
- c. Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 10b above and any risk potential.

### 11. Geology, soils and topography/land forms:

- a. Geology - Describe the geology underlying the project area and identify and map any susceptible geologic features such as sinkholes, shallow limestone formations, unconfined/shallow aquifers, or karst conditions. Discuss any limitations of these features for the project and any effects the project could have on these features. Identify any project designs or mitigation measures to address effects to geologic features.
  - b. Soils and topography - Describe the soils on the site, giving NRCS (SCS) classifications and descriptions, including limitations of soils. Describe topography, any special site conditions relating to erosion potential, soil stability or other soils limitations, such as steep slopes, highly permeable soils. Provide estimated volume and acreage of soil excavation and/or grading. Discuss impacts from project activities (distinguish between construction and operational activities) related to soils and topography. Identify measures during and after project construction to address soil limitations including stabilization, soil corrections or other measures. Erosion/sedimentation control related to stormwater runoff should be addressed in response to Item 12.b.ii.
- NOTE: For silica sand projects, the EAW must include a hydrogeologic investigation assessing the potential groundwater and surface water effects and geologic conditions that could create an increased risk of potentially significant effects on groundwater and surface water. Descriptions of water resources and potential effects from the project in EAW Item 12 must be consistent with the geology, soils and topography/landforms and potential effects described in EAW Item 11.



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**12. Water resources:**

- a. Describe surface water and groundwater features on or near the site in a.i. and a.ii. below.
  - i. Surface water - lakes, streams, wetlands, intermittent channels, and county/judicial ditches. Include any special designations such as public waters, shoreland classification and floodway/floodplain, trout stream/lake, wildlife lakes, migratory waterfowl feeding/resting lake, and outstanding resource value water. Include the presence of aquatic invasive species and the water quality impairments or special designations listed on the current MPCA 303d Impaired Waters List that are within 1 mile of the project. Include DNR Public Waters Inventory number(s), if any.
  - ii. Groundwater – aquifers, springs, seeps. Include: 1) depth to groundwater; 2) if project is within a MDH wellhead protection area; 3) identification of any onsite and/or nearby wells, including unique numbers and well logs if available. If there are no wells known on site or nearby, explain the methodology used to determine this.
- b. Describe effects from project activities on water resources and measures to minimize or mitigate the effects in Item b.i. through Item b.iv. below.
  - i. Wastewater - For each of the following, describe the sources, quantities and composition of all sanitary, municipal/domestic and industrial wastewater produced or treated at the site.
    - 1) If the wastewater discharge is to a publicly owned treatment facility, identify any pretreatment measures and the ability of the facility to handle the added water and waste loadings, including any effects on, or required expansion of, municipal wastewater infrastructure.
    - 2) If the wastewater discharge is to a subsurface sewage treatment systems (SSTS), describe the system used, the design flow, and suitability of site conditions for such a system. If septic systems are part of the project, describe the availability of septage disposal options within the region to handle the ongoing amounts generated as a result of the project. Consider the effects of current Minnesota climate trends and anticipated changes in rainfall frequency, intensity and amount with this discussion.
    - 3) If the wastewater discharge is to surface water, identify the wastewater treatment methods and identify discharge points and proposed effluent limitations to mitigate impacts. Discuss any effects to surface or groundwater from wastewater discharges, taking into consideration how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects.
  - ii. Stormwater - Describe changes in surface hydrology resulting from change of land cover. Describe the routes and receiving water bodies for runoff from the project site (major downstream water bodies as well as the immediate receiving waters). Discuss environmental effects from stormwater discharges on receiving waters post construction including how the project will affect runoff volume, discharge rate and change in pollutants. Consider the effects of current Minnesota climate trends and anticipated changes in rainfall

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- frequency, intensity and amount with this discussion. For projects requiring NPDES/SDS Construction Stormwater permit coverage, state the total number of acres that will be disturbed by the project and describe the stormwater pollution prevention plan (SWPPP), including specific best management practices to address soil erosion and sedimentation during and after project construction. Discuss permanent stormwater management plans, including methods of achieving volume reduction to restore or maintain the natural hydrology of the site using green infrastructure practices or other stormwater management practices. Identify any receiving waters that have construction-related water impairments or are classified as special as defined in the Construction Stormwater permit. Describe additional requirements for special and/or impaired waters.
- iii. Water appropriation - Describe if the project proposes to appropriate surface or groundwater (including dewatering). Describe the source, quantity, duration, use and purpose of the water use and if a DNR water appropriation permit is required. Describe any well abandonment. If connecting to an existing municipal water supply, identify the wells to be used as a water source and any effects on, or required expansion of, municipal water infrastructure. Discuss environmental effects from water appropriation, including an assessment of the water resources available for appropriation. Discuss how the proposed water use is resilient in the event of changes in total precipitation, large precipitation events, drought, increased temperatures, variable surface water flows and elevations, and longer growing seasons. Identify any measures to avoid, minimize, or mitigate environmental effects from the water appropriation. Describe contingency plans should the appropriation volume increase beyond infrastructure capacity or water supply for the project diminish in quantity or quality, such as reuse of water, connections with another water source, or emergency connections.
- iv. Surface Waters
- a) Wetlands - Describe any anticipated physical effects or alterations to wetland features such as draining, filling, permanent inundation, dredging and vegetative removal. Discuss direct and indirect environmental effects from physical modification of wetlands, including the anticipated effects that any proposed wetland alterations may have to the host watershed, taking into consideration how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects. Identify measures to avoid (e.g., available alternatives that were considered), minimize, or mitigate environmental effects to wetlands. Discuss whether any required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed and identify those probable locations.
- b) Other surface waters- Describe any anticipated physical effects or alterations to surface water features (lakes, streams, ponds, intermittent channels, county/judicial ditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal and riparian alteration. Discuss direct and indirect environmental effects from physical modification of water features, taking into consideration how current Minnesota climate trends and

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anticipated climate change in the general location of the project may influence the effects. Identify measures to avoid, minimize, or mitigate environmental effects to surface water features, including in-water Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features. Discuss how the project will change the number or type of watercraft on any water body, including current and projected watercraft usage.

### **13. Contamination/Hazardous Materials/Wastes:**

- a. Pre-project site conditions - Describe existing contamination or potential environmental hazards on or in close proximity to the project site such as soil or ground water contamination, abandoned dumps, closed landfills, existing or abandoned storage tanks, and hazardous liquid or gas pipelines. Discuss any potential environmental effects from pre-project site conditions that would be caused or exacerbated by project construction and operation. Identify measures to avoid, minimize or mitigate adverse effects from existing contamination or potential environmental hazards. Include development of a Contingency Plan or Response Action Plan.
- b. Project related generation/storage of solid wastes - Describe solid wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from solid waste handling, storage and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of solid waste including source reduction and recycling.
- c. Project related use/storage of hazardous materials - Describe chemicals/hazardous materials used/stored during construction and/or operation of the project including method of storage. Indicate the number, location and size of any new above or below ground tanks to store petroleum or other materials. Indicate the number, location, size and age of existing tanks on the property that the project will use. Discuss potential environmental effects from accidental spill or release of hazardous materials. Identify measures to avoid, minimize or mitigate adverse effects from the use/storage of chemicals/hazardous materials including source reduction and recycling. Include development of a spill prevention plan.
- d. Project related generation/storage of hazardous wastes - Describe hazardous wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from hazardous waste handling, storage, and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of hazardous waste including source reduction and recycling

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### 14. Fish, wildlife, plant communities, and sensitive ecological resources (rare features):

- a. Describe fish and wildlife resources as well as habitats and vegetation on or in near the site.
- b. Describe rare features such as state-listed (endangered, threatened or special concern) species, native plant communities, Minnesota County Biological Survey Sites of Biodiversity Significance, and other sensitive ecological resources on or within close proximity to the site. Provide the license agreement number (LA-\_\_\_\_) and/or correspondence number (ERDB\_\_\_\_\_) from which the data were obtained and attach the Natural Heritage letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe the results.
- c. Discuss how the identified fish, wildlife, plant communities, rare features and ecosystems may be affected by the project including how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects. Include a discussion on introduction and spread of invasive species from the project construction and operation. Separately discuss effects to known threatened and endangered species.
- d. Identify measures that will be taken to avoid, minimize, or mitigate the adverse effects to fish, wildlife, plant communities, ecosystems, and sensitive ecological resources.

### 15. Historic properties:

Describe any historic structures, archeological sites, and/or traditional cultural properties on or in close proximity to the site. Include: 1) historic designations, 2) known artifact areas, and 3) architectural features. Attach letter received from the State Historic Preservation Office (SHPO). Discuss any anticipated effects to historic properties during project construction and operation. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to historic properties.

### 16. Visual:

Describe any scenic views or vistas on or near the project site. Describe any project related visual effects such as vapor plumes or glare from intense lights. Discuss the potential visual effects from the project. Identify any measures to avoid, minimize, or mitigate visual effects.

### 17. Air:

- a. Stationary source emissions - Describe the type, sources, quantities and compositions of any emissions from stationary sources such as boilers or exhaust stacks. Include any hazardous air pollutants, criteria pollutants. Discuss effects to air quality including any sensitive receptors, human health or applicable regulatory criteria. Include a discussion of any methods used assess the project's effect on air quality and the results of that assessment. Identify pollution control equipment and other measures that will be taken to avoid, minimize, or mitigate adverse effects from stationary source emissions.

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- b. Vehicle emissions - Describe the effect of the project’s traffic generation on air emissions. Discuss the project’s vehicle-related emissions effect on air quality. Identify measures (e.g. traffic operational improvements, diesel idling minimization plan) that will be taken to minimize or mitigate vehicle-related emissions.
- c. Dust and odors - Describe sources, characteristics, duration, quantities, and intensity of dust and odors generated during project construction and operation. (Fugitive dust may be discussed under item 17a). Discuss the effect of dust and odors in the vicinity of the project including nearby sensitive receptors and quality of life. Identify measures that will be taken to minimize or mitigate the effects of dust and odors.

**18. Greenhouse Gas (GHG) Emissions/Carbon Footprint**

- a. GHG Quantification: For all proposed projects, provide quantification and discussion of project GHG emissions. Include additional rows in the tables as necessary to provide project-specific emission sources. Describe the methods used to quantify emissions. If calculation methods are not readily available to quantify GHG emissions for a source, describe the process used to come to that conclusion and any GHG emission sources not included in the total calculation.

The following tables are examples; other layouts are acceptable for providing GHG quantification results

**Construction Emissions**

Scope	Type of Emission	Emission Sub-type	Project-related CO <sub>2</sub> e Emissions (tons/year)	Calculation method(s)
Scope 1	Combustion	Mobile Equipment		
Scope 1	Land Use	Conversion		
Scope 1	Land Use	Carbon Sink		
<b>TOTAL</b>				

**Operational Emissions**

Scope	Type of Emission	Emission Sub-type	Existing facility CO <sub>2</sub> e Emissions (tons/year)	Project-related CO <sub>2</sub> e Emissions (tons/year)	Total CO <sub>2</sub> e Emissions (tons/year)	Calculation method(s)
Scope 1	Combustion	Mobile Equipment				
Scope 1	Combustion	Stationary Equipment				
Scope 1	Combustion	Area				
Scope 1	Non-Combustion	Stationary Equipment				

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Scope	Type of Emission	Emission Sub-type	Existing facility CO <sub>2</sub> e Emissions (tons/year)	Project-related CO <sub>2</sub> e Emissions (tons/year)	Total CO <sub>2</sub> e Emissions (tons/year)	Calculation method(s)
Scope 1	Land Use	Carbon Sink				
Scope 2	Off-site Electricity	Grid-based				
Scope 2	Off-site Steam Production	Not applicable				
Scope 3	Off-site Waste Management	Area				
<b>TOTAL</b>						

b. GHG Assessment

- i. Describe any mitigation considered to reduce the project’s GHG emissions.
- ii. Describe and quantify reductions from selected mitigation, if proposed to reduce the project’s GHG emissions. Explain why the selected mitigation was preferred.
- iii. Quantify the proposed projects predicted net lifetime GHG emissions (total tons/#of years) and how those predicted emissions may affect achievement of the Minnesota Next Generation Energy Act goals and/or other more stringent state or local GHG reduction goals.

**19. Noise**

Describe sources, characteristics, duration, quantities, and intensity of noise generated during project construction and operation. Discuss the effect of noise in the vicinity of the project including 1) existing noise levels/sources in the area, 2) nearby sensitive receptors, 3) conformance to state noise standards, and 4) quality of life. Identify measures that will be taken to minimize or mitigate the effects of noise.

**20. Transportation**

- a. Describe traffic-related aspects of project construction and operation. Include: 1) existing and proposed additional parking spaces, 2) estimated total average daily traffic generated, 3) estimated maximum peak hour traffic generated and time of occurrence, 4) indicate source of trip generation rates used in the estimates, and 5) availability of transit and/or other alternative transportation modes.
- b. Discuss the effect on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project’s impact on the regional transportation system. *If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW.* Use the format and procedures described in the Minnesota Department of Transportation’s Access Management Manual, Chapter 5 (available at: <http://www.dot.state.mn.us/accessmanagement/resources.html>) or a similar local guidance,

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- c. Identify measures that will be taken to minimize or mitigate project related transportation effects.

**21. Cumulative potential effects:** (Preparers can leave this item blank if cumulative potential effects are addressed under the applicable EAW Items)

- a. Describe the geographic scales and timeframes of the project related environmental effects that could combine with other environmental effects resulting in cumulative potential effects.
- b. Describe any reasonably foreseeable future projects (for which a basis of expectation has been laid) that may interact with environmental effects of the proposed project within the geographic scales and timeframes identified above.
- c. Discuss the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects.

**22. Other potential environmental effects:** If the project may cause any additional environmental effects not addressed by items 1 to 19, describe the effects here, discuss the how the environment will be affected, and identify measures that will be taken to minimize and mitigate these effects.

**RGU CERTIFICATION.** *(The Environmental Quality Board will only accept **SIGNED** Environmental Assessment Worksheets for public notice in the EQB Monitor.)*

**I hereby certify that:**

- The information contained in this document is accurate and complete to the best of my knowledge.
- The EAW describes the complete project; there are no other projects, stages or components other than those described in this document, which are related to the project as connected actions or phased actions, as defined at Minnesota Rules, parts 4410.0200, subparts 9c and 60, respectively.
- Copies of this EAW are being sent to the entire EQB distribution list.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

## December 2022 Environmental Assessment Worksheet Implementation Plan

### Acronyms

- Board or EQB: Environmental Quality Board
- EAW: Environmental Assessment Worksheet
- ER Program: Environmental Review Program
- ERIS: Environmental Review Implementation Subcommittee
- GHG: greenhouse gas
- ICTT: Interagency Climate Technical Team
- IP: December 2022 Environmental Assessment Worksheet Implementation Plan
- RGU: Responsible Governmental Unit

### Executive Summary

All project reviews that begin after the approval date must use the approved EAW form; projects currently underway may continue to use the prior approved form.

This IP has been designed to ensure a successful transition for all RGUs to use the December 2022 EAW form. The IP includes a transition plan, a process for considering greenhouse gas sector and source guidance needs and the framework for a pilot to implement an ombuds role.

During the transition, surveys will be sent to all RGUs using the December 2022 EAW form. The ICTT will meet quarterly to evaluate concerns related to the new climate change information included on the EAW form. The ombuds will consider ICTT recommendations and determine if concerns should be elevated for Board consideration.





Table 1: Implementation Plan (see more description below)

Component	Tasks	Resources
A. Transition plan	Develop a Transition plan to include: <ul style="list-style-type: none"> <li>communications</li> <li>outreach</li> <li>technical support</li> </ul>	None
B. Guidance	Develop a plan for updating existing climate guidance.	None
	Request legislative funding to develop a GHG planning calculator and additional guidance.	TBD
	Work with technical experts to develop guidance for best practices in climate assessments.	Max of \$25,000; depending on project scope, timeline, and available funds.
C. Pilot Ombuds Program	<ul style="list-style-type: none"> <li>Select an ombuds</li> <li>Develop and implement a communication and outreach plan.</li> </ul>	None

### Introduction

On October 19, 2022, the ERIS considered feedback received from pilot participants and directed staff to present the December 2022 Environmental Assessment Worksheet form for Board consideration, and directed staff to develop an implementation plan to includes a:

- Transition plan to include
  - transition timeline
  - communications and outreach plans
  - technical support
- Plan for update of existing guidance and development of sector and source specific guidance
- Pilot Ombuds Program

The following plan will describe the schedule and components necessary for an effective transition from the existing EAW form to the December 2022 EAW form. The December 2022 EAW form will be used by all RGUs and includes questions that prompt consideration of GHG quantification and assessment as well as questions that prompt consideration of climate adaptation and resiliency information.

### Plan components and timelines

#### Component A: Transition plan (Completed by January 31, 2023)

EQB staff will develop a transition plan that includes the following elements:

- Communication plan: Messages that will be sent to RGUs letting them know that the EAW form changed and the timeline for implementation. The message will also include information about the plan for outreach, technical support, and the ombuds pilot.
- Outreach plan: The development of surveys that will be sent to all RGUs, after they publish the project’s record of decision. Surveys will request feedback from RGUs and provide the opportunity to submit any concerns.
- Technical support: EQB staff will be available to answer question about changes on the EAW form using the existing technical assistance phone line (651-757-2873) and email (Env.Review@state.mn.us).



**Component B: Guidance** (1. Update existing climate guidance completed by January 31, 2023; 2. Legislature request in January 2023; 3. Best practices guidance to be completed by July 1, 2023)

1. ICTT members will update existing climate guidance and monitor technical climate science and meet quarterly to determine if additional updates are needed.
2. Request for legislative funding to develop a GHG calculator planning tool and additional technical guidance. The EQB will request an appropriation to hire one temporary, unclassified position with climate expertise to work with government agency experts on the development of Minnesota-based GHG sector and source-specific guidance for including climate information on the EAW form; and to develop a Minnesota-specific GHG) calculator tool. The proposal will ensure accuracy and consistency of climate information on the EAW form, while reducing the time and cost for project proposers to provide information as well as state and local government agencies to assess applicable climate information.
3. EQB staff will hire a contractor with expertise in climate assessment to develop guidance for best practices in identifying GHG emission sources related to the ER Program mandatory category project types, as well as best practices for selecting climate assessment tools and resources.

**Component C: Pilot ombuds role** (The Pilot Ombuds Program will be implemented from January through June 2023.)

EQB staff will implement a Pilot Ombuds Program. The Board chair will appoint an EQB staff person to the position of Environmental Review Program Ombuds. The Environmental Review Program Ombuds reports directly to EQB Executive Director.

The ombuds must be selected without regard to political affiliation and must be qualified to perform the duties. Powers and duties include, but are not limited to:

- assisting with understanding climate questions on the December 2022 EAW form
- providing a neutral, independent resource for dispute and issue resolution between responsible governmental units, project proposers, and members of the public; specific to concerns raised regarding climate change information on the December 2022 EAW form.
- facilitating discussions or arranging mediation when appropriate
- gathering information and summarizing concerns to report during monthly Board and/or Subcommittee meetings, when needed
- facilitating the exchange of climate technical information when requested, where possible

Once selected, the ombuds will develop a communications and outreach plan for the Pilot Ombuds Program.

## Environmental Review Program, Continuous Improvement Project

### Why continuous improvement (CI)?

Continuous improvement is a collaborative process used to identify process improvements for long-term implementation. By providing a framework for continuous improvement, the Environmental Review Program (ER program) will be able to responsively adapt to the changing needs of the environment.

A continuous improvement approach will more easily consider and respond to emerging environmental concerns and technical advances in tools, resources, and scientific knowledge.

### What are the CI process goals?

- Collaboratively identify process improvements for the environmental review program
- Identify criteria for prioritizing process improvements

This project is using stakeholder input, past research and facilitated conversations with the Environmental Review Implementation Subcommittee (ERIS), the Environmental Quality Board and an interagency team to:

- Define environmental review program “effectiveness”
- Identify areas of improvement for an “effective” ER program
- Identify criteria used to prioritize those improvements to the ER program

As a result of this CI project, the Board will have clear pathways to enact program improvements, potentially through rulemaking, guidance updates, Board approved program updates, staff workplan changes, and more.

### Who is coordinating the CI Process work?

EQB has contracted with Management Analysis and Development (MAD) to conduct the research associated with the CI process as well as facilitate the CI process. MAD will be conducting research and engagement work in fall and winter 2022-23 and facilitating the CI process in winter and spring 2022-2023.

### Who is MAD?

MAD is a management consulting practice housed in Minnesota Management and Budget that provides consultation to public sector organizations, including research and analysis, performance measurement advice, program evaluation, organizational effectiveness, planning, and interagency collaboration. MAD consultants are state employees, but they don't work for the Environmental Quality Board. MAD is working under an interagency agreement with the Board.

### What is the process timeline?

#### Phase 1: Research and Analysis, October 2022 – February 2023

- Review previous EQB program evaluations, studies or initiatives and compile a list of recommendations
- State comparison research - interview other states and the national environmental review program
- Produce summary of research findings

**Phase 2: Engagement, December 2022 – March 2023**

- Conduct listening session with stakeholders to engage them in the process
- Launch Engagement HQ platform for online stakeholder feedback

**Phase 3: Facilitation, December 2022 – June 2023**

- Present and facilitate discussions and decision making at Board, ERIS, and interagency team meetings
- Define an “effective” ER program, develop a list of improvements, develop criteria for prioritizing improvements and evaluate potential improvements

**Phase 4: Final report, June 2023**

- Final report with background research and engagement findings, criteria for prioritization, and improvements that were selected

**How will the Board be updated and involved?**

There will be an initial presentation about the project at the December 14, 2022 Board meeting. MAD will provide updates and facilitated conversations with ERIS and the Board, monthly from January 2023-June 2023.

The Board will have opportunities to provide feedback on:

- Defining ER program effectiveness
- Draft list of ER program improvements
- Draft of prioritization criteria and decision matrix

**What if I have questions?**

If you have questions for MAD, you can contact Karen Gaides, team lead for MAD, [Karen.Gaides@state.mn.us](mailto:Karen.Gaides@state.mn.us)

Kayla Walsh is the Environmental Quality Board staff contact for this project, [Kayla.Walsh@state.mn.us](mailto:Kayla.Walsh@state.mn.us)