

EQB Environmental Review Panel Meeting

Summary

Thursday, January 18, 2018, 9am-noon
Minnesota Pollution Control Agency
520 Lafayette Avenue, St. Paul, MN 55155

Present members: Willis Mattson, Lucas Sjostrom, Louise Miltich, Tim Nelson, Randall Doneen, David Zoll, Jim Atkinson, Josh Fitzpatrick, Peder Larson, Carissa Slotterback, Ed Fairbanks.

EQB staff: Denise Wilson, Katie Pratt, Kristin Mroz, Erik Dahl, and Melissa Peck

Management Analysis & Development (MAD) Staff: Henriët Hendriks and Lisa Anderson

Welcome, introductions, and agenda review

Henriët welcomed everyone to the meeting and reviewed the agenda. Henriët requested feedback on the meeting minutes and will incorporate feedback received.

Denise provided updates. There is a meeting scheduled for February 15, which will be used to review recommendations.

Panel recommendations for engagement

Denise reviewed the Meaningful Engagement poster. There is also a form that includes public feedback that the panel can weigh in on.

There were two meetings on flexibility and alternatives. EQB has taken that information to develop drafts that will be made final and available to the public.

EQB also is also conducting an online survey of people that have participated in environmental review, which is separate. Kristin Mroz discussed the surveys the EQB has conducted on environmental review. This month there is a citizen survey for those who have been involved in commenting on environmental review on how they have been engaged.

Henriët reviewed the Meaningful Engagement poster. The panel provided feedback (see supporting document "1-18-18 Flip chart notes for ERAP Jan 18 meeting").

Recommendations

The panel provided feedback on the recommendations from the September meeting (see supporting document “1-18-18 Flip chart notes for ERAP Jan 18 meeting”).

Education and outreach

The panel provided feedback on education and outreach efforts by EQB (see supporting document “1-18-18 Flip chart notes for ERAP Jan 18 meeting”).

Mandatory categories

Erik Dahl from MPCA led a discussion on mandatory categories with the intent to inform the panel. If panel members want to meet or discuss further, they can contact Erik. Denise will email process and timeline.

Public comment

Misty Babineau: I like the idea of a professional facilitator at the public hearings, not in a panel but stationed near sign and registration to inform people as they come in so they have the best understanding [of what they can contribute at the meeting.] A lot of people don't know what's going on and get frustrating and we saw that in Duluth but that is the level of frustration that this community has. We're talking about treaty territory here that supersedes Minnesota. This is like the state of Wisconsin if it made a decision on a project that affects Minnesota. There is a lot of frustration with that. The public includes legislators but I would highly caution legislators being put in the same category as the public. I can't address PUC commissioners. So at that point they are not part of the public but their voice is being heard. If they are part of the public input they need the same restrictions.

Jeff Kolstad: I wanted to say I'm very concerned. I've been active for years and there are a lot of people out there wondering what's going on and I go to meetings where people are concerned. There are a lot of people out there that aren't able to give the information. I've been blessed to have two great grandchildren and I want them to have a lush green life like I had. I am concerned about misinformation and lies and I am glad to have people that care. I talk to people who want to engage and do more; it's a busy work. Thank you for being here and I encourage you to keep up the good work. Some people like to talk about the blessings modern energy and technology has brought but also curses.

Bob Tammen: I'm from Sudan, MN. I'm part of the Izaak Walton League and we have a few members who formerly worked for MN. I hope you realize that public input isn't just the opportunity for the public to vent and get it off their chest.

Jean Ross: Including into the public elected officials is a problem because some of them have been bought off. Enbridge has lobbied our legislature to get the green light on the line 3 replacement project and if Enbridge

doesn't get the outcome they want. They're going to pursue this piece of legislation and I don't think legislators should be able to slant our public record as a mouthpiece for private organizations.

Jerry Streigel: You [the panel] have covered a lot of the material I would like to address. As a citizens we research, write and submit our testimony for review processes. Some of the citizens that show up invest the time and energy or have the background to offer a great deal more. Most of these people have been rejected during a vetting process as interveners. My question is why is that the case? It was discussed during the process here. Where is the place for injection of that information that those people can offer to a complete record. Are our efforts solely to become part or lost in completely record? I would like to see a development of the process to include substantial information from the public and the people that do not make the cut for vetting before the hearings.

Kriss Wells: I live in Minneapolis I'm new to this process. I've just learned about this advisory panel and am happy to see what you're doing. It should be easier for the public to access the PUC electronic filing system. It's very difficult to find comments that have been made if you are not familiar with it. Also in your agenda you mentioned the stakeholders and I would like to caution you in how you define and use that term "stakeholder." It seems it can often turn into stakeholder corruption because people that have specific economic interest in a project can be seen as stakeholder but on the other hand they have a vested interest. The public should be seen as the stakeholder in environmental review. In meetings like this it seems there's this elephant in the room and that's global warming. It's never mentioned and in my mind it should be a higher category in environmental review. It takes a special place and should be given special consideration.

Michelle Shaw: I greatly appreciate the fact that you're holding this meeting to engage the public. I don't know what the purpose is of the panel or that you existed. Since you are working on behalf of the state of Minnesota, they should be aware of community conversations, reach out to diverse group and have a citizen-led group. Our tax dollars are paying for ER to get done and is essential that the people get involved. How did you get people involved in the survey? I found out from someone from MN360. You said some members are submitting comments that don't apply and it's because most of us do not have enough information and they are not easy to understand. Educate us on how we can be involved on a regular basis. Please listen to Minnesotans help us to get involved and we appreciate the fact that you are talking about this.

EQB citizen board members identified themselves and their roles and the roles of the Environmental Review Advisory Panel.

John Munter: I really appreciate other comments about project design area needing work. Maybe add a comment area there. And not hiding state agency but bringing them out and having conversations with tribes and maybe would not have had problems with Sand Piper and Line 3 and would have been more acceptable EIS if they would have followed MEPA standards. For future projects we had a lot of energy and gas projects coming due but if the RGU got together and calculated the social cost of methane, maybe you would never have another methane project in this state again.

Kathy Hollander: Thank you, it was great to be here today and I enjoyed the discussion. There is a lack of trust on the side of the public with ordinary folks coming in. We aren't aware and that leads to wariness and we know economic interests can cloud the value for an environment we have left. We Minnesotans love our environment and we're very concerned about what's left and the cumulative impact and at some point they'll say no more. I

operate at the legislature and I talk to the public a lot. And I'd like to say how extremely difficult it is to communicate with the public on EIS. I would love to have a handout because I do call on people in churches and I can't verbally give someone a website. To educate people in MN about ER process. Why can't we have a portal on these RGU sites and a first stop for public on what these agencies do and what a statute and a rule is and what governs an EIS. I know how to access statute and rules but the public does not. I would love to see professional facilitators at these hearings because we have not been having conversations. Judge O'Reilly has done a good job at making us feel heard. We feel our comments go into a void.

Lindsey Ketchel (Leech Lake Area Watershed Foundation): One major concern is we're working up north to build a strong conservation ethic. We have folks out inspecting and more engaged—a real resurgence to really think through and be thoughtful in the environment. But I've seen real high profile projects that create internal conflict for individuals because they feel their little acts can't counter these big EIS situations. They feel like they're not heard and are discouraged and frustrated. I've had multiple states perspectives but MN needs to be very careful, needs a process to feel great for every resident in the state of MN because if we don't elevate conservation ethics. I know people who won't comment because they feel their comments were cast aside. That sends a strong message to conservative minded folks. How is poverty and cultural awareness included—these are very complicated issues and I'm worried we are not taking a long hard work and that they're having the opposite effect.

Next steps

The last panel meeting is February 15th. EQB staff and MAD will provide a summary of the panel discussions and formulate the recommendations. These will be sent to the panel for review to see if it reflects the panel's discussion. MAD will take the initiative of writing the report on the behalf of the panel. Panel members may hear from Henriët. MAD will also send the report and give you the opportunity to provide feedback. Then the panel will sign off on the report and hand it to the EQB. This process will probably go into March.

Willis asked whether there will there be a process for the public to weigh in on the final report. Henriët noted this can be discussed with the panel.

The meeting ended at noon.