



Environmental Quality Board

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To: Environmental Quality Board
Fr: Bob Patton, Executive Director
Re: 2010 EQB Staff Activities

Since August 2009, EQB staff has worked with a group of agency staff and EQB citizen members, the EQB Working Group, to develop Board work priorities. With Board concurrence at the September 2009 meeting, work has begun on a number of projects. This report describes the work plans for these activities.

In addition to formal projects, staff is engaged in a wide variety of activities, from ongoing program administration to a variety of recurring activities, such as presentations or speaking engagements. Ongoing activities include:

- Day-to-day work in support of the Environmental Review program, such as: a) providing technical assistance in the interpretation and application of the program rules in specific project situations; b) publishing the EQB Monitor; c) maintenance of EQB web pages; and d) processing citizen petitions
- Support to the Board, including preparation of agendas, minutes and packet materials, and conducting meetings of agency technical representatives and the EQB Working Group
- Monitoring of legislative and rulemaking activities

In addition, EQB staff:

- Participates in environmentally-related interagency teams and contributes to interagency efforts, such as:
 - Minnesota Milestones 2010 (report contributor and advisor)
 - MPCA Ground Water Spending Proposal review team
 - MPCA Interagency Project Coordination Team (reviews federal 319 and CWP proposals for funding)
 - DNR Ground Water Technical Work Group – (evaluating models and tools for sustainable ground water management as recommended in *Managing for Water*)

Sustainability: Report of the EQB Water Availability Project; advised DNR on 2009 and 2010 legislative water reports)

- U of M Ground Water Sustainability Workshop series (steering committee member)
- Hosted and/or supported development of Web sites for the DNR Ground Water Technical Work Group, Interagency Water Monitoring Technical Work Group, and Minnesota Geospatial Information Office
- Participates in national collaborations such as with U.S. General Accountability Office (Water Use and Biofuels; Environmental Indicators), U.S. Geological Survey (National Water Census), U.S. Army Corps of Engineers (National Collaboration for a Sustainable Water Resources Future), and National Sustainable Water Resources Roundtable (elected to a two-year term as co-chair)
- Hosted U.S. State Department- and University of Minnesota-sponsored international delegations on water policy, environmental review, climate change and sustainable development
- Speaks and presents at a variety of state and national conferences, including those of aggregate mining (the State Aggregate Mining Conference), the State Bar Association Environmental Division, the Irrigators Association of Minnesota, Minnesota Water Resources Conference series, American Water Resources Association, American Planning Association, National Sustainable Water Resources Roundtable, and Universities Council on Water Resources
- Lectured at a variety of University of Minnesota classes

Support associated with the Working Group has been a significant and important activity. The Working Group has met five times, and has had considerable influence on the work plans for the projects described in the following pages. In addition, the Working Group has been involved in a productive and ongoing discussion about the role of the EQB in carrying out its core functions in environmental studies, strategic planning, and policy coordination as set forth in the powers and duties section of *Minnesota Statutes*, section 116C.04.

Staff also gathered together the five EQB citizen members to welcome and orient the two newest members, Kristin Weeks Duncanson and Erik Tomlinson, and to discuss current EQB issues. We plan to hold additional meetings of the citizen members, and to more fully engage citizen members in EQB work during the year.

2010 EQB Staff Projects

Environmental Review Guidance Documents Update

With adoption by the Board of significant changes to the state's Environmental Review rule in 2009, a series of adjustments to EQB informational materials is warranted.

Description

Updating the basic Environmental Review guidance documents: the Guide to Minnesota Environmental Review Rules, the EAW form, EAW Guidelines: Preparing Environmental Assessment Worksheets & Alternative Urban Areawide Review Process Content and Format guidelines. All of these documents need updating due to rule amendments effective in November 2009.

Purpose and Goals

To bring the guidance documents for the Environmental Review program into conformance with current rules and to update information to make it as current as possible.

Outcomes

This activity will produce updated editions of the four basic guidance documents listed under Description above. These outcome documents will be disseminated primarily through the EQB website.

Partners

EQB staff will take the lead on the revisions, but will rely on member agencies' staff for assistance. Some limited outside review and comment will also be used to tap the experience and expertise of various participants in the Environmental Review process.

Timelines

Guide to MN Environmental Review Rules:

February – complete review by member agencies, finalize and post at website

EAW form:

February – review by member agencies

March – input from selected outside Environmental Review participants

April – approval by EQB Chair and post at website

EAW Guidelines

February – EQB staff revised draft & input from member agencies on specific pieces of content

March – review by member agencies & selected outside Environmental Review participants

April – finalize and post at website

AUAR Content & Format guidance

March – EQB staff revised draft

April – review by member agencies & selected outside Environmental Review participants

May – finalize and post at website

EQB Land and Water Projects

The Minnesota Environmental Initiative's Land and Water Policy Project was designed to bring focused attention to the importance of and interplay between land use and water policies in Minnesota and how they are implemented. The MEI designed and facilitated a dialogue among stakeholders responsible for implementing and managing statewide land and water policies. Recent reports prepared by a variety of organizations had generated numerous recommendations on how to best manage Minnesota's land and water resources for the future. The stakeholder dialogue provided a forum for discussing, evaluating and prioritizing these many recommendations. The goal of the stakeholder work group was to develop strategies for actions resulting in improved coordination of land and water policies among state agencies and local units of government. Work group membership included representatives from state and local government, as well as the non-profit and private sectors.

Work group members identified and developed recommendations on three key areas:

- Shared Vision – developing an implementation plan and action items that identify how a vision for Minnesota's land and water resources could be created, who should be involved, and what it might contain
- Coordinated Planning for Improved Implementation – working to align planning schedules between state agencies to create efficiencies at all levels and enable more effective implementation of protection and restoration activities
- Integrated Community Assistance – developing, communicating and coordinating resources and approaches to enhance the effectiveness of outreach within and between all levels of government to improve land use decisions that affect land and water quality

A meeting of work group participants and state agency leadership took place on July 7, 2009. Agency leadership recommended that the Environmental Quality Board refine and further develop next steps.

The EQB is currently moving forward with two of the three recommendations: Coordinated Planning for Improved Implementation and Integrated Community Assistance.

Coordinated Planning for Improved Implementation

The EQB Coordinated Planning for Improved Implementation project is led by staff from the MPCA and BWSR with EQB staff support.

Description

The group is charged with developing a coordinated planning cycle based on geographic areas and a five-year planning sequence, with the outcome resulting in a better balance of planning and implementation.

Purpose and Goals

The goal of the coordinated planning effort is to:

- Improve the alignment (dates) of the numerous land and water planning requirements that local units of government are faced with. Current planning requirements tend to follow 5- and 10-year rotations with required local updates as plans are amended. This results in many LGUs being in an almost continuous planning or plan amendment mode and limits their ability to conduct implementation
- Recognize and plan for the differences in scale and geography between the seven county metropolitan area and greater Minnesota in all efforts related to local government water planning
- Improve restoration and protection activities by integrating major watershed monitoring and assessment findings and strategies into local government plans where available. The major watershed monitoring and assessment approach are to result in major watershed restoration and protection strategies, which can then be incorporated into local water management plans

Outcomes

- Reduce water related planning overlap by local governments, as it relates primarily to timing
- Improve coordination between various federal, state, region, and local planning requirements
- Improve effectiveness of state agency technical assistance. Limited resources are best utilized by targeting geographic areas on a known timeframe. This principle can work on both the major watersheds in greater Minnesota and on the organized watershed management organizations in the metro area
- Create better linkages between land use, surface water, and groundwater planning efforts
- Have local implementers spending more time on implementation and less on planning
- Modify existing state planning and resource management mandates to allow multi-use plans and processes
- Enable the establishment of consistent land- and water-related requirements and standards

Partners

Staff representing Board of Water and Soil Resources (co-chair), Pollution Control Agency (co-chair), Environmental Quality Board, Department of Health, Department of Natural Resources, Metropolitan

Council, U.S. Army Corp of Engineers, Association of Minnesota Counties / SWCDs, City of Minneapolis, and Watershed District / Watershed Management Organization.

Timeline

- Spring 2010 Core team meetings to develop coordinated planning proposal
- Summer 2010 Test implementation of proposal and share with larger audience
- Fall 2010 Draft legislative proposal to implement planning proposal
- Spring 2011 Bring legislative initiative forward for discussion and adoption

Integrated Community Assistance

The EQB Integrated Community Assistance project is chaired and supported by EQB staff.

Description

The group is charged with bringing local and state interests together to develop better ways of meeting local government needs on land and water issues.

Purpose and Goals

A sound local–state partnership is key to meeting state regulatory and non-regulatory goals. Yet, state government tends to interact with its local partners in a program-by-program and project-by-project manner, rather than in a routine and integrated way. This initiative is exploring ways to change this paradigm and determine when and where doing so would make a difference.

Outcomes

Desired outcomes of the project are to:

- Improve the way the state serves local government and local government helps the state
- Change perceptions of state and local roles, with “co-solving” problems as the new paradigm
- Build an enduring capacity to develop, deliver and maintain the assistance function
- Produce better outcomes for Minnesota communities and natural resources, saving money and resources

Partners

The Integrated Community Assistance project includes representatives of the departments of Natural Resources and Health, the Pollution Control Agency, the Minnesota Cities Stormwater Coalition, the League of Minnesota Cities, the City of Rochester, a local comprehensive planning consultant, and the Environmental Quality Board. The project intends to engage additional participants once it has identified initial design concepts.

Timeline

1. February 2010. Design the framework. Define what we mean by integrated community assistance and identify the goals and principles that should guide the initiative.
2. March – June. Build on other assistance efforts. Agencies are having their own internal discussions on how they provide community assistance. Explore opportunities to complement these activities. For example, the Green Step Cities program could flag possible projects for integrated community assistance.
3. May – December. Expand participation. As the project becomes better defined, it will need to broaden the discussion and engage new participants, including representatives of other EQB agencies, local and regional governments, and stakeholders.
4. June – December. Articulate local interest and needs. Assess local government interest in integrated community assistance and work with local and state stakeholders to develop recommendations on ways that integrated state assistance could lead to better environmental outcomes.
5. July – December. Test the ICA model. Search for pilot project opportunities at the watershed or community scale to illustrate how integrated community assistance can pay off. These should showcase the benefits of partnerships in studying issues, setting priorities for land and water conservation, and finding solutions to large-scale problems and opportunities.
6. November – February 2011. Synthesize results and lay the foundation for program establishment. The project will complete the design of an integrated community assistance function based upon the interest and opportunities identified.

State Water Plan-Related Projects

The core EQB powers and duties pertaining to water are contained in *Minnesota Statutes*, sections 103B.151 (coordination of public water management and development of the state water plan), 103A.204 (coordination of ground water policies), and 103A.43 (water quality and quantity assessments and analysis). With changes adopted by the Legislature and Governor in 2008, the EQB is required to submit a consolidated report to the Legislature under all three laws by September 15, 2010 (the 103A.204 and 103A.43 reports must be incorporated into the state water plan every 10 years). In addition, EQB must incorporate legislative reports of the Metropolitan Council water supply planning activity into the state water plan.

The EQB has prepared a state water plan every 10 years since adoption of the 103B.151 mandate in 1983. However, this year, the EQB finds itself in a unique circumstance with the Legislature's mandate to the University of Minnesota Water Resources Center to produce a water sustainability framework by January 2010. While the mandate poses a number of challenges and opportunities for the EQB and its member agencies, the EQB and member agencies:

- Are committed to be active participants in the Framework process
- Have an opportunity to provide information to the Framework process that will improve the products of the effort
- Have statutory mandates to produce reports in September 2010
- May need to make further water policy recommendations once the outcomes of the Framework process have been produced (i.e., after January 2011)

The EQB has already discussed the approach of participation in the Framework process: evaluating the direction of the process in the spring of 2010 and, to the extent warranted, adopting additional recommendations under its water planning authority in the fall of 2010.

In addition, EQB staff has begun working with the Minnesota Pollution Control Agency, the departments of Agriculture, Health and Natural Resources, and the Metropolitan Council to develop information and a plan of work under the EQB groundwater policy coordination and water assessment and analysis authorities (103A.204 and 103A.43). Preliminarily, the plan is to:

- Provide information on water policy and water quality/quantity assessments and analysis for the Framework process in the spring of 2010
- Incorporate the information in the required EQB report to the Legislature in September 2010
- Evaluate preliminary outputs of the Framework process over the summer of 2010
- Develop additional recommendations, if warranted, by the September 2010 state water planning deadline
- Develop recommendations for a supplemental state water plan report in 2011 as appropriate.

Minnesota River Basin Integrated Watershed Management Project

The Minnesota Environmental Quality Board and the U.S. Army Corps of Engineers, St. Paul District, entered into a contract on September 28, 2008 to develop a plan for watershed, aquatic ecosystem, and water quality management and restoration in the Minnesota River Basin.

Description

The Corps and EQB lead the study effort supported by an Interagency Study Team, which they co-chair, and technical teams for discussion of strategic planning and modeling issues. The EQB works closely with the Minnesota River Board to ensure that local interests are heard.

The project is estimated to cost nearly \$8.2 million and take four years to complete. The Corps of Engineers will pay half the expenses and the Environmental Quality Board and its partners will match that amount with ongoing activities that aid the study.

Purpose and Goals

The purpose of the project is to bring the diverse interests of the Minnesota River Basin together to consider how best to secure the Basin's economic and environmental futures. EQB's participation is intended to ensure that state and local partners and other Basin interests have a proper voice at the table. The overarching goal is to make the Minnesota River community a better place to live and work.

Outcomes

The project will prepare a plan for managing the basin's water and related land resources. It also will develop a decision support system to help Basin interests identify effective management and restoration actions. This system will enable examination of existing conditions, forecasting of future conditions, and simulation of alternatives that will be ecologically sustaining and socially desired. The system will address watershed, water quality, water quantity, ground water and ecosystem restoration needs at the small and major watershed levels.

Partners

EQB's nonfederal project partners include the Minnesota River Board, the departments of Agriculture, Health, Natural Resources and Transportation, the Pollution Control Agency, Metropolitan Council, Board of Water and Soil Resources, Minnesota State University at Mankato, and the University of Minnesota.

Timeline

January – December 2010. Identify and commit work-in-kind. EQB and its nonfederal partners get credit toward the state's commitment to match federal costs for any work they do in the Basin that benefits the project. Because this amounts to a \$4 million commitment over four years, and because the project will be stronger to the extent it learns from all relevant efforts, it is extremely important to be on watch for projects that provide eligible match as the study evolves.

January – December. Identify and collect the data required for understanding the Basin. The state's LiDAR data collection effort has agreed to put Minnesota River Basin collections as its first priority so that detailed topographic information will be available in study assessments. Other data sets also will be collected and organized in support of the study.

March – April. Identify project assumptions and initial future scenarios for the Basin's economy and ecosystem. The Interagency Study Team's strategic planning committee will begin the process of identifying the interests, characteristics and issues important to the study, and the best ways to engage people in addressing them during the study.

March – April. Begin to develop an understanding of the best models for describing Basin characteristics and the effects of land and water uses on future scenarios. The Interagency Study Team's modeling committee will meet in March to identify models most likely to meet project needs, and the data required to support them. They will also identify selected small watersheds within which to run the models.

April – May. Confirm study assumptions, scenarios and modeling recommendations; begin assessments. The Interagency Study Team reach agreement on project assumptions and scenarios, and the modeling studies most likely to inform them. Project staff at the Corps will begin work with partners to gather data and conduct initial assessments.

June – December. Engage other Basin interests. The Interagency Study Team will develop approaches to engage citizens and other Basin interests in describing Basin needs, issues and opportunities, and in refining study plans to address them.

June – December. Keep partners engaged as the plan develops. Developing the plan will consist of collecting information throughout the basin, working with local parties interested in the river, completing detailed modeling efforts and developing a plan based on the needs of the people living and working in the Minnesota River basin. EQB will work to ensure that the Corps understands and addresses state and local interests as the study evolves.