



520 Lafayette Road
St. Paul, MN 55155-4194

MINNESOTA ENVIRONMENTAL QUALITY BOARD

Phone: 651-757-2873
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www.eqb.state.mn.us

February 17, 2016

**Meeting Location: MPCA Board Room
St. Paul, Minnesota
1:00 p.m. – 4:00 p.m.**

AGENDA

General

This month's meeting will take place in the Minnesota Pollution Control Agency board room at 520 Lafayette Road in St. Paul. The Environmental Quality Board ("EQB" or "Board") meeting will be available via live stream on February 17 from 1:00 p.m. to 4:00 p.m. You will be able to access the webcast on our website: www.eqb.state.mn.us

The Jupiter Parking Lot is for all day visitors and is located across from the Law Enforcement Center on Grove Street. The Blue Parking Lot is also available for all day visitors and is located off of University and Olive Streets.

- I. *Adoption of Consent Agenda**
Proposed Agenda for February 17, 2016 Board Meeting
January Meeting Minutes
- II. Introductions**
- III. Chair's Report**
- IV. Executive Director's Report**
- V. Title: Clean Power Plan Update**
- VI. Title: EQB Work Planning Retreat and Draft 2016 EQB Work Plan**
- VII. Title: Environmental Review Data – A Year In Review**
- VIII. Title: Mandatory Categories Rulemaking**
- IX. Public Comment**
- X. Adjourn**

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



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ANNOTATED AGENDA

General

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I. *Adoption of Consent Agenda

Proposed Agenda for February 17, 2016 Board Meeting
January Meeting Minutes

II. Introductions

III. Chair's Report

IV. Executive Director's Report

V. Title: Clean Power Plan Update

Presenter: Frank Kohlasch, Air Assessment Section Manager, Minnesota Pollution Control Agency (651-757-2500)

Materials enclosed: None

Background:

On February 9th, 2016, the US Supreme Court issued a stay EPA's implementation of the Clean Power Plan, pending the outcome of ongoing litigation. The Court of Appeals for the District of Columbia will hear arguments on June 2, 2016. For more than two years, the MPCA has been

* Items requiring discussion may be removed from the Consent Agenda

conducting stakeholder outreach to ensure our State Plan would best meet the needs of Minnesota. The Clean Power Plan originally required the MPCA to submit a plan or a request for an extended deadline by September 6, 2016. The Supreme Court's stay means this deadline no longer required. This presentation will update the Board on the status of MPCA implementation of the Clean Power Plan, and the implications of the Court decision.

VI. Title: EQB Work Planning Retreat and Draft 2016 EQB Work Plan

Presenter: Will Seuffert, EQB Executive Director (651-757-2766)

Materials enclosed:

- 2016 EQB Work Plan Memorandum
- Draft Calendar Year 2016 EQB Work Plan

Background:

In an effort to best tailor EQB work to agency and citizen member priorities, and to improve interagency communication on EQB-led initiatives, the EQB hosted a work planning session on January 12, 2016 with Board members and key staff. The session covered past accomplishments, long-term strategic goals, 2016 projects, and operational improvements. Valuable insights were shared from all participants and are captured in the attached 2016 EQB Work Planning Memorandum and Draft Calendar Year 2016 EQB Work Plan. The planning session will be repeated on an annual basis to ensure EQB work is best aligned with citizen member priorities and member agency goals.

Discussion Questions:

- Does this work plan meet the needs of the Board?
- Does this plan ensure sufficient capacity to address emerging issues as they may arise?
- Is there sufficient interagency support to complete these initiatives on these timelines?
- Is an annual planning session the appropriate cycle for revisiting these plans?

VII. Title: Environmental Review Data – A Year In Review

Presenters:

Courtney Ahlers-Nelson, Environmental Quality Board (651-757-2183)
Mark Riegel, Environmental Quality Board (651-757-2472)

Materials enclosed: None

Background:

Recent improvements to the Environmental Review (ER) Program for the internal processing of environmental review documents submitted to the EQB for publication in the EQB *Monitor*, has led to greater electronic tracking of reviews done around the state. In addition to the internal process improvements, the submission process for the EQB *Monitor* has improved with the

creation of an online environmental review submission webpage. The result of these actions as well as the implementation of a responsible governmental unit (RGU) survey has provided the EQB with important data collected over the 2015 calendar year. The results of the data collection are an important first step in understanding environmental review being completed around the state. Furthermore, the data provides an important baseline from which EQB can use to continue to develop the ER Program and assist RGUs, citizens and project proposers over time.

Discussion Question:

- What data are needed to better evaluate what has been done, how well it was done and whether the ER Program purpose has been met?

VIII. Title: Mandatory Categories Rulemaking

Presenter: Courtney Ahlers-Nelson, Environmental Quality Board (651-757-2183)

Materials enclosed: None

Background:

In 2013, the EQB along with other state agencies completed the [Mandatory Environmental Review Categories Report](#) (Report), as directed by the 2012 Minnesota legislature (*Laws of Minnesota for 2012, Chapter 150, Article 2, Section 3*). The Report provided an analysis of the mandatory categories for environmental assessment worksheets (EAW) and environmental impact statements (EIS) and whether they should be modified, eliminated, or unchanged based on their relationship to existing permits or other federal, state, or local laws or ordinances.

Following the Report, the EQB proposed to initiate rulemaking by publishing a Request for Comments (RFC) in the *State Register*. Comments were received, however rulemaking did not proceed. In 2015, as a result of an appropriation from the 2015 state legislature as part of a proposal by the Governor to further streamline environmental review (*2015 Special Session Law, Chapter 4, Article 3, Section 2*), EQB has renewed its effort to update the mandatory EAW and EIS categories through rulemaking. A RFC was published for a second time in November 2015.

In 2016, the Report along with the comments received during the 2013 and 2015 RFC and with the input from responsible governmental units around the state will serve as the foundation for updating and streamlining select mandatory EAW and EIS categories.

The presentation will focus on the projected timeline for rulemaking, and the possible EAW and EIS categories under revision.

IX. Public Comment

X. Adjourn

**MINNESOTA ENVIRONMENTAL QUALITY BOARD
MEETING MINUTES**

**Wednesday, January 20, 2016
MPCA Room Board Room
520 Lafayette Road N, St. Paul**

EQB Members Present: Dave Frederickson, Charlie Zelle, Brian Napstad, Kristin Eide-Tollefson, Mike Rothman, John Saxhaug, Dr. Ed Ehlinger, Tom Landwehr, Adam Duininck, Michelle Beeman, Matt Massman, Katie Clark-Sieben

EQB Members Absent: Julie Goehring, Kate Knuth, John Linc Stine, Erik Tomlinson

Staff Present: Will Seuffert, Courtney Ahlers-Nelson, Denise Wilson, Erik Dahl, Mark Riegel

I. Adoption of Consent Agenda and Minutes

II. Introductions

III. Chair's Report

Chair Frederickson attended the EQB retreat last week. Thank-you to Will Seuffert and staff for the opportunity to spend time on the EQB mission, vision, and the work behind us, the work we are doing today, and the work that lays in front of us. We also had the opportunity to discuss climate change with a pre-Paris and post-Paris meeting.

The Department of Agriculture is hosting a Pollinator Summit in February.

IV. Executive Director's Report

Thank you to all the members and staff who helped plan the two events last week; the Climate Change Post-Paris meeting and the EQB Planning Retreat. Thank you also to everyone who contributed and attended these events. I will report back to the Board on EQB's "next steps" at the February meeting with more detailed work plans and to wrap up 2016/2017 based on strategic goals and priorities that were mentioned at the retreat.

Minnesota Water Resources Center is hosting their annual Climate Adaptation Conference on January 28th in Minneapolis.

The Governor announced his Water Summit being held on February 27th.

EQB proposed a rule under the good cause exemption to amend our category for recreational trails. It was not approved as proposed at the end of last year; we have made some changes to our proposal based on comments from the Administrative Law Judge and we are going to try and utilize that exemption to move the rule forward. Will keep you posted.

EQB is filling a Communications vacancy and will be interviewing candidates in the next couple of weeks.

The next meeting is February 17th and we will be talking about Environmental Review for most of the meeting.

Agency updates: DNR, BWSR, MPCA, Met Council, Dept. of Health, MnDOT, Dept. of Commerce, Dept. of Administration, and DEED gave brief updates on the work of their agencies.

V. Multi-Agency Efforts to Protect and Enhance Pollinator Habitat

Presenter: Tina Markeson, Minnesota Department of Transportation, Office of Environmental Stewardship

Tina Markeson shared a presentation and provided a perspective of the challenge, shared ongoing and future efforts, and discussed options for additional coordination between state agencies to promote pollinator health.

Discussion followed.

VI. Interagency Climate Adaptation Team: Update and Next Steps

Presenters:

Paul Moss, Minnesota Pollution Control Agency
Anna Dirkswager, Minnesota Department of Natural Resources
Laura Millberg, Minnesota Pollution Control Agency
Lisa Barajas, Metropolitan Council
Megan Lennon, Minnesota Board of Water and Soil Resources

The presenters gave an update on climate adaptation and related activities in Minnesota state government.

Discussion followed.

VII. Adjourn

The audio recording of the meeting is the official record and can be found at this link: ftp://files.pca.state.mn.us/pub/EQB_Board/

Webcast is also available on the EQB website: <https://www.eqb.state.mn.us/>



To: Environmental Quality Board
From: Will Seuffert
Re: 2016 Work Planning
Date: February 17, 2016

In an effort to best tailor EQB work to agency and citizen member priorities, and to improve interagency communication on EQB-led initiatives, the EQB hosted a work planning session on January 12th, 2016 with Board members and key staff. The afternoon session covered past accomplishments, long-term strategic goals, 2016 projects, and operational improvements. Valuable insights were shared from all participants and are captured in the attached work plan and project charter(s). This planning session will be repeated on an annual basis to ensure EQB work is best aligned with citizen member priorities and agency goals.

The EQB's mission statement is as follows:

Our mission is to lead Minnesota environmental policy by responding to key issues, providing appropriate review and coordination, serving as a public forum and developing long-range strategies to enhance Minnesota's environmental quality.

Some themes that were shared during the session on strategic vision include:

- EQB has a role in setting an environmental agenda through publishing reports, Board meeting agendas, and tracking and reporting on environment and energy trends
- Sustainability framework in state government should be prioritized and better coordinated
- Support local governments sustainability and climate action efforts
- Immediacy and multi-jurisdictional nature of climate and water issues warrant continued EQB focus
- More regular process for EQB strategic planning would be beneficial, and could bridge across administrations
- Greater public outreach and education could aid in identifying emerging issues
- EQB has an important role in giving the public systematic access to state government leaders
- Coordination with established interagency teams is critical in being efficient and breaking down silos
- EQB has a role in developing and advocating for policy
- There is a need for building citizen capacity

A DRAFT 2016 work planning matrix is attached highlighting where staff and budget resources are being allocated and/or sought. This work plan draws from both statutory direction and the priorities shared by Board members and staff at the retreat. For the two most staff intensive initiatives, project charters are also attached providing additional operational details.

EQB will reevaluate its budget needs during the biennial budgeting process to ensure that the organization is positioned to fulfill its mission in an ongoing basis. Given the broad range of responsibilities, the Board's role in addressing emerging issues, and the long-term impacts of these issues, flexibility and permanence of core agency funding is critical. Operational changes recommended by MAD will continue to be pursued and integrated throughout the year to ensure efficient execution of Board duties.

Draft Calendar Year 2016 EQB Work Plan

EQB Initiative/Program	Deliverable	Timeline/Milestones	Agency Needs	Anticipated Costs	Status	Charter
Environmental Review (ER) Program – Efficiency Initiative						
I. Rulemaking	Greater statewide ER efficiency through updated ER thresholds and enhanced clarity of rule.	Request For Comments – Fall 2015 Notice/Hearing – Summer/Fall 2016 Complete – Early 2017	PCA, DNR, DOT, BWSR, and COMM assistance in writing rules, SONAR and hearing. Periodic review by all member agencies.	\$40,000 budgeted for rule expenses (non-staff)	Initiated/Ongoing	✓ Complete
	Finalize Good Cause Rulemaking – Trails	February/March 2016	None—work completed internally	\$3,000	Submit to Office of Administrative Hearings (OAH) - February 2016	N/A—work completed internally
II. Data Collection – RGU Annual Survey	Summary of ER trends around the state. Baseline data to better assist ER customers and shape program updates.	Initiated – December 2015. Data summary – February 2016.	Agency Responsible Governmental Unit (RGU) participation: RGUs submit ER data to EQB through an annual survey, or with immediate post-review surveys to assess qualitative outcomes.	Survey costs embedded in Service Level Agreement	2015 Complete/2016 Ongoing	N/A—work completed internally
III. Data Collection – TEMPO Database	More robust data collection and reporting capabilities through database transition	Develop process maps – Winter/Spring 2016 In TEMPO – Fall 2016	MPCA and MN.IT staff support	Unknown at this time	Initiated/Ongoing	N/A—scope of work and timelines still being defined
IV. EQB <i>Monitor</i> publication changes	More efficient methods of submittal and review. Weekly publication of EQB <i>Monitor</i> .	Update website – Fall 2015 Electronic submission and weekly publication – January 2016	None—work completed internally		✓ Complete	N/A—work completed internally
V. Outreach	ER presentations to interested stakeholders; Local Governmental Units (LGU), the University of Minnesota, etc.	Ongoing/As Needed	None – work completed internally		As Needed	
Silica Sand	Deliverable	Timeline/Milestones	Agency Needs	Anticipated Costs	Status	Charter
I.	Final ER Rule	2016/2017; coordinating with	None	\$40,000 budgeted for	Ongoing	None, statutory

Draft Calendar Year 2016 EQB Work Plan

		sister agencies on Silica Sand (SS) rules		rule expenses (non-staff)		guidance
II.	MN Sands EIS	TBD	ER technical support	TBD—preparation costs billed to proposer	Pending	✓ Complete
III.	Technical Assistance	TBD	Technical support	TBD (Interagency fund transfers executed at the beginning of FY 16)	Ongoing	None, statutory guidance
EQB Operations/ MAD Recommendations	Deliverable	Timeline/Milestones	Agency Needs	Anticipated Costs	Status	Charter
I.	Annual work planning session	Annual work planning retreat to occur in December/January as schedules allow		\$1,500	Initiated/ongoing	N/A –work completed internally
II.	Project Management Improvements	Staff enrolled in project management trainings, charters and executive sponsors being utilized			Initiated/ongoing	N/A –work completed internally
III.	Executive Committee	Begin meeting quarterly in early 2016			Initiated	N/A –work completed internally
IV.	Better coordination with upper management	Energy and Climate Team begin meeting February 2016	Support for Tech Rep as outlined in the Charter		Initiated/ongoing	✓ Complete
V.	Revisit Technical Representative Roles and Responsibilities	Charter drafted and agreed to in December, 2015. Semi-annual check-ins to review outcomes.	Support for Tech Rep as outlined in the Charter		Initiated/ongoing	✓ Complete
Strategic Planning						
Energy and Environment Report Card	Deliverable	Timeline/Milestones	Agency Needs	Anticipated Costs	Status	Charter
I. Energy & Environment report Card	20 – 30 page report, 1 page report card	Results Based Accountability (RBA) results conference for Board on 4/1, Final report presented to Board 12/2016	Subject Matter (SM) staff to help identify/refine indicators, data from agencies following RBA workshop, participation in RBA workshop with MMB, potential budget support for document publication	\$25,000 for facilitation/RBA consulting, graphic design, and printing	Executive Committee assembled and briefed, staff assignments TBD	✓ Complete
II. Environmental	Broad-based meeting in	February 2017 Congress in	Communications and SM staff support to plan	Estimate roughly	Pending	Not drafted

Draft Calendar Year 2016 EQB Work Plan

Congress	outstate MN to discuss the state of the environment; with a session on climate. Board meetings in outstate MN where logistically feasible	outstate MN	and staff meeting, and budget support for other meeting expenses	\$60,000 for a meeting of 400.		
Water Planning	Deliverable	Timeline/Milestones	Agency Needs	Anticipated Costs	Status	Charter
I. Outreach	Support Governor’s Water Summit planning; Report presentations (university, state Gov., legislature)	Ongoing	ICAT participation and sustained coordination with EQB member agencies	\$4,000 for report printing	Ongoing	N/A, EQB supporting other interagency efforts
II. Programmatic	Monitor/maintain participation on interagency water-related groups and related issues	Periodic Board presentations on related topics; begin planning decennial Water Plan in early 2018.	Interagency collaboration		Ongoing	N/A
Climate Change Coordination	Deliverable	Timeline/Milestones	Agency Needs	Anticipated Costs	Status	Charter
I. Climate Solutions and Economic Opportunities (CSEO)	Finalize CSEO analysis, present results at stakeholder meeting and other policy venues, pursue policy development and implementation	March 2014 – March 2016, results rollout in spring, continued discussions across agency and with leadership	Agency experts continue to work on refining and advancing these policies; engage through E and C		Ongoing	None
II. Clean Energy	Support interagency and interdisciplinary initiatives such as E2025, ongoing stakeholder engagement, partnerships with academia and LGUs to support clean energy deployment	Ongoing	Collaboration	Meeting related costs: TBD	Ongoing	None
III. Interagency Climate	ICAT efforts may include vulnerability assessments,	TBD	Collaboration, additional support to/from ICAT staff	TBD	Ongoing	None

Draft Calendar Year 2016 EQB Work Plan

Adaptation Team (ICAT) Support and adaptation planning	state adaptation plan, toolkit for LGUs					
Emerging Issues	Deliverable	Timeline/Milestones	Agency Needs	Anticipated Costs	Status	Charter
I. TBD	TBD		Capacity to respond and present to the Board as requested			N/A—will develop as issues arise

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