

**MINNESOTA ENVIRONMENTAL QUALITY BOARD
MEETING MINUTES**

**Tuesday, February 20, 2013
MPCA Room Board Room, 520 Lafayette Road, St. Paul**

EQB Members Present: Dave Frederickson, Brian Napstad, John Saxhaug, Erik Tomlinson, Mike Rothman, John Linc Stine, Ed Ehlinger, Kate Knuth, Barb Naramore (for Tom Landwehr), Kristin Duncanson

EQB Members Absent: Julie Goehring, Spencer Cronk, Katie Clark Sieben, Tom Landwehr, Charlie Zelle

Staff Present: Bob Patton, Kate Frantz, Jeff Smyser (EQB), Leah Hedman (AG), Beth Tegdesch (MPCA for EQB)

Chair Dave Frederickson called the meeting to order at 1:10 p.m.

I. Adoption of Consent Agenda and Minutes

A motion to adopt the Consent Agenda and approve the January 16, 2013, meeting minutes was made, seconded, and carried unanimously.

II. Introductions

Welcome to Assistant Commissioner Barb Naramore, representing the Department of Natural Resources. Members of the EQB and those in attendance introduced themselves.

III. Chair's Report

The Joint Hearing of the House and Senate Committee on the Environment met yesterday. Senator Marty chaired the hearing. It was an overflow crowd. Commissioner Stine, and Frederickson, along with MnDOT, Dept. of Health, and DNR were there to testify; EQB led off with a testimony basically giving them a timeline of what we had done and the engagement the EQB had with the issue of frac sand mining. Because we were close to the time the Legislature would convene, the Governor was interested in making sure all parties were engaged and that the Legislature would have the opportunity to lead on this also. There were 41 testifiers; about a little over half were able to have their opinions and thoughts heard, both from an industry perspective and from a citizen perspective.

Thank you to EQB and agency staff for preparing the documents on silica sand mining.

IV. Executive Director's Report

- Executive Director Bob Patton brought up the fact that the Environmental Quality Board is required by rule to elect a new vice-chair in February.
- EQB Board Chair, Dave Frederickson, opened up nominations for vice-chair of the EQB. Brian Napstad is the current vice-chair, and was nominated for a second term for vice-chair of the EQB; there were no other nominations. Mr. Frederickson asked to cast a unanimous ballot in favor of Mr. Napstad; Commissioner Ehlinger seconded, motion carries. Congratulations to Mr. Napstad on a second term as the vice-chair of the EQB.

V. Update on Minnesota Environmental Congress

The completed Citizen Forums and the plans for the Environmental Congress (Congress) event were presented. These plans are satisfying Part Four of Executive Order 11-32, dated November 16, 2011.

Presenter: Ellen Anderson, Senior Advisor to the Governor

Ellen introduced Helene Johnson, from GTS Education Events; Helene will be the event planner for the Environmental Congress.

The desired outcomes the Congress is working towards are:

- a. long term goals are to help Minnesota achieve a long term vision for the environment
- b. shorter term goals are to narrow down a prioritized list of action items that citizen leaders recommend to the EQB

The Congress will be held March 15th from 8:00 am-5:00 pm at the Ramada Inn in Bloomington, the former Thunderbird Hotel. Invitations were sent, mostly via e-mail, to over 400 people; a broad cross-section of experts, community leaders, and stakeholders were invited; leaders from environmental, conservation, and agricultural organizations, chambers of commerce, scientists and other experts, representatives from all levels of government, tribal leaders, as well as leaders from the business, student, and faith communities will be invited to attend. In addition, interested members of the public will be welcome to register as space allows. Registration will open the first week of March. The goal is 550 attendees.

The budget was discussed. John Linc Stine, Commissioner of the PCA, made a motion to fund the Environmental Congress with a budget up to \$70,000 total with equal shares provided by MnDOT, DNR, PCA, Dept. of Admin, Dept. of Commerce, Dept. of Health, and DEED at \$8,572 each, and the Board of Water and Soil Resources and the Dept. of Agriculture will fund up to \$5,000 each. Motion was made, seconded, and motion carries.

VI. Living Word Bible Camp Decision Item

Presenter: Bob Patton

The EQB has received three requests to designate a different responsible governmental unit (RGU) for the preparation of an Environmental Assessment Worksheet (EAW) for the Living Word Bible Camp on Deer Lake in Itasca County. The RGU is Itasca County. The three requests are from:

1. Itasca County; the Itasca County Board voted to refer the Living Word Bible Camp EAW “to the Environmental Quality Board (EQB) for the selection of a Responsible Governmental Unit (RGU) in place of Itasca County such as the Minnesota Pollution Control Agency (MPCA) or such other appropriate entity as the EQB may appoint;”
2. Neighboring landowners, who requested the EQB designate MDNR as the new RGU for the proposed project; and
3. The project proposers, to “designate the government unit with the most authority and expertise, the MPCA, as the RGU.”

The parties in this matter, Itasca County, the neighboring landowners, and the proposer, and their council were fully informed of this proceeding and sent FOF in time to meet rule requirements; and have not had any communication back from any of the parties and have chosen not to attend this meeting.

The draft Findings of Fact, Conclusions, and Order are written in support of staff's recommendation to deny the requests to designate a different RGU. New findings would be required if the Board chooses to designate a different RGU.

This motion was a roll call vote; 8 votes in favor, 1 recusal; so moved, motion seconded, motion carries.

RESOLUTION OF THE MINNESOTA ENVIRONMENTAL QUALITY BOARD

Decision Regarding the Possible Designation of Different Responsible Governmental Unit for Preparation of an Environmental Assessment Worksheet for Proposed Recreational Development in Shoreland (Living Word Bible Camp)

BE IT RESOLVED, that the Minnesota Environmental Quality Board denies requests for designating a new responsible governmental unit (RGU) for the environmental review of the proposed recreational development in shoreland (Living Word Bible Camp) in Itasca County, Minnesota; and

BE IT FURTHER RESOLVED, that David J. Frederickson, Chair of the Board, is authorized to sign Findings of Fact, Conclusions and Order.

VII. 473H Eminent Domain Discussion

Presenter: Jeff Smyser

The issue before the Board is whether or not a proposed eminent domain action might have an unreasonable effect on agriculture and agricultural resources.

This is a discussion item. Staff is asking for input from the Board. Jeff will give a full report before the Board at the March 20 meeting.

An attorney representing Xcel Energy made a brief comment and was available to answer any questions and give an overview to the Board.

IX. Adjourn