

**MINNESOTA ENVIRONMENTAL QUALITY BOARD
MEETING MINUTES**

**Wednesday, April 18, 2012
MPCA Room Board Room, 520 Lafayette Road, St. Paul**

EQB Members Present: Dave Frederickson (Ag, Chair), Julie Goehring, Brian Napstad, John Saxhaug, Kristin Duncanson, Erik Tomlinson, Bill Grant (for Mike Rothman), Paul Aasen, Ed Ehlinger, Paul Moe (for Mark Phillips), Tom Landwehr

EQB Members Absent: Spencer Cronk (Admin), Tom Sorel (Mn/DOT)

Staff Present: Bob Patton (EQB), Mary Osborn (MPCA for EQB)

The meeting was called to order by Chair Frederickson at 1:05 p.m.

I. Adoption of Consent Agenda and Minutes

Executive Director Patton explained a minor change in the Minutes from the March meeting. A motion to accept the Consent Agenda, which included the following amendment to the minutes, was made by Brian Napstad, seconded by Julie Goehring, and carried unanimously.

**VI. Approval of Request for Comments on Environmental Review Rulemaking
Pertaining to the Timeframe for Alternative Areawide Review Updates**

Executive Director Patton explained the bills introduced by [Representative Dettmer](#) and Senator Vandever, and the position that EQB staff has taken, as described in the Annotated Agenda.

II. Introductions

Members of the EQB and others present introduced themselves.

III. Chair's Report

Chair Frederickson presented a certificate (signed by Governor Dayton) to Jonathon Bloomberg recognizing his 8½ years of service to the EQB.

IV. Executive Director's Report

- Interviews will be taking place for two full-time EQB staff positions. Hopefully, the positions will be filled by the next EQB meeting.
- Another RGU reassignment case is likely to be on next month's agenda as an action item. The project is a Bible camp in Itasca County that is very controversial.
- There has been discussion about a citizens' petition being brought to the EQB for a generic EIS on frac sand mining.

V. Reassignment of the Responsible Governmental Unit (RGU) from St. Louis County to the Department of Natural Resources (DNR) for the Organic Gold Black Dirt Project

Discussion

- Note for the record that one of the issues explored in depth by the Minnesota Climate Change Advisory Group several years ago was the tremendous amount of carbon storage contained in Minnesota's peatlands and the risks involved in increased alternative uses for those peatlands.
- Concern that there have been many reassignments to state agencies in the last several years and that this may be taking work away from an established market (environmental consultants).
- Local governments are even more resource strapped than state agencies are, and will be less likely to have the staff to do specialized reviews or to have the money to hire someone to do them. In the near term, state agencies may be asked to fill that breach. This will need to be considered when putting together budgets.

- After discussion, a motion was made to amend the **Findings of Fact, Conclusions of Law, and Order**, and the **Resolution of the Minnesota EQB** as follows.

Findings of Fact

6. Areas of expertise involved in analyzing the project include hydrological effects of the dredging, water appropriation, peat mining and reclamation, ecological effects to flora and fauna, impacts on carbon sequestration, and experience with preparation of joint environmental review documents with the U.S. Army Corps of Engineers (should such review be necessary).

Resolution

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

The motion was seconded, a voice vote was taken, and the motion carried with eight ayes, with Commissioner Landwehr abstaining.

VI. Election of EQB Vice Chair

John Saxhaug nominated Brian Napstad for the position of the EQB Vice Chair. A motion to cast a unanimous ballot was made by Chair Frederickson. The motion was made, seconded, and carried unanimously.

VII. Executive Order 11-32 Project Updates

Updates on project work plans were presented to the EQB by Ellen Anderson.

Environmental Review Improvement

- The process for focus groups has moved ahead. Letters were sent out to a variety of interest groups soliciting names to participate in focus groups. The team is working with the Management Analysis Division of the MMB on facilitating focus groups.
- The Work Plan is being revised to reflect the discussion at the last EQB meeting, and to incorporate the requirements of Senate File 1567, which was signed into law, that requires a closer look at mandatory requirements of environmental review.
- The communications team is working on a “talking points” document for Board members to use when soliciting people to participate in the focus groups. That document should be available soon.

Discussion

- The team would like to have the focus groups set up by the end of April to start meeting in May. Logistically, June may be more realistic. Send names and contact information to Randall Doneen and he will follow up. He will also be in contact with the organizations that were sent letters.
- There are some proposals in the legislature to change the balance of authorities between the MPCA Board and the MPCA Commissioner’s Office. The fact that this (Executive Order) effort exists – and is moving along as well as it is – is something that is being promoted heavily. It is being suggested that for the Legislature to take steps at this point in time doesn’t make sense because there is the potential to have to undo statute a year from now when these efforts come to fruition.
- The names of possible focus group participants that were submitted to Princessa VanBuren Hansen early in the process are still under consideration.
- Focused stakeholders were chosen to take part in the focus groups to ensure participation by people that are involved in the environmental review process. Once draft recommendations are ready, a broader public review will take place.

Improved Environmental Governance and Coordination

There was extensive discussion at the last meeting regarding the principles that were outlined and the criteria for evaluating them. The team is in the process of putting that matrix together and will present a report to the EQB at the next meeting.

Environment and Energy Report Card

The team is incorporating the suggestions made by the EQB at the last meeting into their work, and expects to present a mock-up of the matrix at the June EQB meeting.

Environmental Congress

- The team went back to the EQB subcommittee with the many suggestions made by the EQB at the April meeting. Ms. Anderson summarized the handout of the draft proposal developed by the team as a result of those suggestions (attached).
- Ms. Anderson asked for input from the EQB on the following question:
Should the Congress be held in January (per the Executive Order), or deferred until after the Legislative session? Scheduling 6-8 listening sessions between November 15 and January may be difficult given the short timeframe, holidays, etc.

After discussing the pros and cons of various options, EQB members made the following recommendations.

- Hold the Congress in January or February, during the legislative session, when people are most attuned to what's going on in the government.
- Cut the number of Listening Sessions from 6-8 to 4-6.
- Hold the Listening sessions in major media markets across the state – Metro, Rochester, Worthington, Moorhead, Duluth, and St. Cloud.
- If the Capitol is not available, back-up locations should be other state facilities, such as the History Center.
- Listening Session attendees should complete their own report card.
- The team will be provided with names of agency contacts to help with things such as getting bills paid, coordinating technical support, etc.

VIII. Adjourn

The meeting was adjourned at 2:25 p.m.

Proposal for the Meeting of the Environmental Quality Board on April 18, 2012

The Environmental Congress EQB Subcommittee and Core Team are recommending a “Congress” that includes several Listening Sessions throughout Minnesota followed by a Capitol Congress in Saint Paul. The Listening Sessions would include short presentations on the EQB Executive Order Topics, especially the Report Card, which would be used to draw out input from attendees on past progress and future vision around Energy and the Environment. The Capitol Congress would be held several months later and would include a summation of information received in Listening Sessions and a future vision for Minnesota from EQB agencies.

The advantages of this format for the Congress include:

- Listening Sessions meet the Executive Order Deadline for the Congress
- Places the Congress in all regions of the state
- Touches more people and more diverse audiences
- Is a low cost option
- Allows for tailoring of presentations for different regions of the state
- Is an effective format for receiving input from attendees
- Allows for effective design of Capitol Congress following from Listening Sessions

Considerations/Elements	A Congress that Includes Several Listening Sessions Leading Up to a Culmination Event in Saint Paul
Material/Content of Congress	EQB Executive Order Topics, Environment/Energy Issues, Department Priorities, Topics Raised at Listening Sessions, Future Vision for Minnesota
Outcome of Congress	Participants feel like they are heard, answers/responses given, future directions developed
Format of Congress	Short Presentations at Listening Sessions, Presentation/Summary Speeches at Capitol
Locations	Listening Sessions at 6 to 8 Outstate locations and Metro; State Capitol for Culmination Event
Attendee Types	Invite local leaders for each listening session and open to public; Culmination Event – government leaders, politicians, business/industry, interest groups
Number of Attendees	Listening Sessions (~100 at each session) Capitol Congress (by invite only – 250) and others participate via webcast/cable
Governor Attend?	Yes for Culmination Event
Timing of Event	Listening Sessions: December 2012 to early January 2013 Capitol Congress: after Legislative Session
Cost	Listening Sessions: low cost Capitol Congress: fairly low cost Overall: a low cost option – cover with state agency budgets
Commissioner Time	Heavy time commitment for listening sessions
Other Staff Time	Heavy for planning/execution of listening sessions and Capitol Congress
Fundraising/Sponsorship	Not needed
Use of Technology	Webcast all events, local cable, use interactive survey tools

EQB Input Needed on the Following Questions:

- 1) Are Listening Sessions in December going to work for your schedules?
- 2) Is the Capitol the right location for the culmination event? If not available, identify a back-up.
- 3) Should Listening Sessions include having attendees complete their own report card?
- 4) This is a low cost option but will require staff resources. Are your agencies able to provide small budgets and staff resources for planning and implementation of Listening Sessions and Capitol Congress?
- 5) From where should we look for leadership coordination of this effort?