From:	Smyser, Jeff (MPCA)
To:	Arends, Heather (DNR); Bell, David (MDH); Christianson, Dave (DOT); Doneen, Randall (DNR); Doperalski, Melissa (DNR); Engstrom, Jennifer N (DNR); Germundson, Travis (BWSR); Haugen, Theresa (MPCA); Hedman, Jeffrey (MPCA); Johnson, Scot B (DNR); Moynihan, Debra (DOT); Patton, Bob (MDA); Ross, Michele (MDH); Seuffert, Will (MPCA); Smyser, Jeff (MPCA); Ulring, Joel (DOT); Weingart, Craig (MPCA); Zoff, Carol (DOT)
Cc:	*EQB_Silica Sand
Subject:	comments from new EQBoard member FW: EQB Silica Sand Report
Date:	Wednesday, January 29, 2014 11:22:08 AM

From: healingsystems69@gmail.com [mailto:healingsystems69@gmail.com] **On Behalf Of** Kristen Eide-Tollefson
Sent: Tuesday, January 28, 2014 1:29 PM
To: Smyser, Jeff (MPCA)
Subject: Fwd: EQB Silica Sand Report

Hi Jeff:

We are visiting my brother and neice on Florida and my e-mail access has been limited.

I was about half way through my comments yesterday when I heard about my appointment. I am not sure what the protocol is on board member comments. So I will just resend my testimony outline, and my key points. Let me know if you need me to fill out anything further. The extension has allowed a great deal of good conversation to take place. Hope some of it reaches you in the form of comments!

My main comment to the board was that Subd. 3 and 4 need to be addressed -- to clearly outline and facilitate the process for collaboration and information exchange between local governments and the state agency technical team. This is an unprecedented opportunity for local government and the EQB sister agencies to forge a working relationship and on environmental matters.

The outline of my spoken comments is below

- It is a great approach
- Excellent toolbox (real display of agency virtuosity, if you ask me)
- Gives state, local government and project proposers a common set of data and puts local government on a firm footing to address issues identified by citizens and legislature.
- Thorough info on sensitivities and distinctions in geography
- Excellent base for technical assistance
- Creates efficiency and effectiveness by putting so much information on the table up front
- Greatly enhanced platform for informed, working relationship between EQB and local government.
- Inclusion of costs is superb and increases potential of implementation

What the draft needs: It needs a section in the Introduction, between background and "Different Geographical Areas" - that elaborates on the working/technical assistance relationship between state agencies and local governments required in subd. 3 and 4,

including:

- How the technical team works -- and how to work with the technical team
- Steps local governments can go through to avail themselves of the technical assistance;
- What the technical assistance recommendation means,
- What are the options/pathways for review of a project that do or don't include the technical team assistance
- Can assistance in the form of additional information or clarification on use of tool kit be requested without engaging a recommendation? How and from whom?
- What benefits working together provides both to local government and state (and project proposers)
- Contact information for each agency -- preferably technical assistance team members (like a specialized tech rep group).
- How to identify which technical support person/agency to contact for each area.
- Will there be a website to support the use of the Local government Tool Kit?
- Will there be any periodic trainings or informational meetings where local units can to to meet the technical team and ask basic questions?

Answers to questions like these could be done in a FAQs format.

Additional comments:

1. The comment I have most often heard is **"Will there be a Frac Sand HELP line?!**" Who do we contact and how?
A help line would likely make the process of connecting more efficient. Make it more likely that people will get where they need to go and be able to get what they need when they need it.

2. **The toolkit needs a roles and responsibilities framework**. Commissioner Stine created a great agency overview, complete with mandates/missions for the Frac Sand Conference in Winona on the 18th. Our Goodhue Co. planner suggested in a conversation that I had with him about process, that a paralell framework with local government responsibilities and tools (how ordinances fit with comp plans etc) could be very useful.

3. **Consider the opportunity to preface each section with a statement of purpose or understanding of envirionmental values we are al**l (via MERAl) charged to use wisely and to protect. .There is much confusion. Subd. 3 & 4 will be more effective if there is a reference point on roles and responsibilities. (E.G: water, who gives out permits for what, what local governments can and cannot require; what they are responsible to implement e.g. shoreland etc)

This is an (again) unprecedented opportunity to lay the responsibilities and roles of state/agency and local government side by side -- so local governments have an easy way to understand what the state does and does not do -- and what they can do to fulfill their municipal obligations for the health, safety and welfare of their communities -- and resources

4. Going a bit over the top -- I would like to see the role of community members, citizens -- articulated as well. As those who articulate the 'values' and priorities (as in community based comprehensive planning) that local government addresses through ordinances, permitting, oversight etc.

5. Environmental Review -- technical assistance. This needs a very clear, detailed guidance. Starting with (and referencing additional documents) on how the roles and responsibilities work. When and how the RGU can be changed. How agencies are/can be already involved (via comment). How technical and/or procedural assistance might be extended, or additionally available under the new statute etc. This is Tan exceptional opportunity for education of local governments on environmental values and review; and potential for better informed collaboration.

5b. **A high learning curve for all:** particular focus is needed to clarifying the issues, technical approaches (and assistance) for evaluating of **cumulative impacts, phased and connected actions**. These are particularly important to frac sand mining review.

6. Protective Overlay Districts - Florence Township used the DNR Natural Resource Planning toolkit to identify sensitive features and essntial (green) infrastructure functions of our township lands. This became the basis for our "sensitive features ordinance", which is a 'protection first' approach to comp plan implementation. It is the basis of our silica sand ordinance. In the case of a township like ours - where stewardship is still a shared value -- this combination of community based comprehensive planning and natural resource mapping has been an effective basis (we hope) of protective ordinancing. Setbacks are vulnerable to variances.

Protective overlay districts should be a tool in the frac sand mining toolkit, with suggested procedures and technical assistance measures (especially mapping),

7. A final comment -- that has been repeatedly raised, is that bluffland protections and (green infrastructure) functions need to be better elaborated -- including recharge zones, and ecotone.

Thank you! I look forward to working with you Jeff.

Kristen

Kristen Eide-Tollefson
P.O. Box 129
Frontenac, MN 55026
1-651-345-5488
Cell: 715-317-0228