

**SAMPLE**

**RESOLUTION OF THE  
MINNESOTA ENVIRONMENTAL QUALITY BOARD**

**Authorizing Initiation of Rulemaking to Adopt Amendments to the  
Environmental Review Program Rules at Minn. Rules, part 4410.4300, subpart 15,  
Establishing a Mandatory EAW Category Threshold for Greenhouse Gas Emissions**

WHEREAS, the Environmental Policy Act, Minnesota Statutes, secs. 116D.04 and 116D.045 authorize the Environmental Quality Board to adopt rules governing the Environmental Review Program, including establishment of categories of projects that require preparation of Environmental Assessment Worksheets (EAWs); and

WHEREAS, Minnesota Rules, part 4410.0400, subpart 1 directs the Environmental Quality Board (EQB) to take appropriate measures to improve the effectiveness of the Environmental Review Program rules; and

WHEREAS, developments in how Greenhouse Gases are regulated under the federal Clean Air Act raise questions about whether the existing threshold for the air pollutant emission source mandatory EAW category at part 4410.4300, subpart 15, applies to Greenhouse Gas emissions; and

WHEREAS, the existing threshold would not be an appropriate threshold to apply to Greenhouse Gases; and

WHEREAS, the EQB published a Request for Comments on this rule amendment on October 4, 2010, in response to which thirteen letters of comments were received, copies of which were distributed to Board members as part of the November 2010 mailing; and

WHEREAS, the EQB staff has developed a draft rule amendment and an associated draft Statement of Need and Reasonableness, which documents were distributed to Board members as part of the November 2010 mailing;

NOW THEREFORE BE IT RESOLVED, that Gene Hugoson, the Chair of the Environmental Quality Board, is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent to Adopt Rules using Alternate Notices of whether a hearing will be held to all persons who have registered their names with the Board for that purpose and publish the Notice and rules in the State Register, and to perform any and all acts incidental thereto.

AND BE IT FURTHER RESOLVED, that if there are 25 or more outstanding hearing requests, Bob Patton, the Executive Director of the Environmental Quality Board, is hereby granted the authority and directed to act as the Board's representative at the hearing and to perform any and all acts incidental thereto.