

# April 2024 Environmental Quality Board meeting

Wednesday, April 17, 2024 | 1:00-4:00 p.m. | 520 Lafayette Road, St. Paul, MN 55155, lower-level conference rooms and via Teams.

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## Minutes

### 1. Welcome and roll call

Chair Nancy Daubenberger called to order the regular meeting of the Environmental Quality Board.

Members present: Grace Arnold, Peter Bakken, Joseph Bauerkemper, Nancy Daubenberger, Tamar Gronvall, Rylee Hince, Todd Holman, Daniel Katzenberger, Katrina Kessler, Nicholas Martin, Paul Nelson, Thom Petersen, Sarah Strommen

Members excused: Brooke Cunningham, Matt Varilek, Charles Zelle

Proxies present: Myra Kunas (for Cunningham), Sue Vento (for Zelle)

EQB staff present: Catherine Neuschler, Stephanie Aho, Rebeca Gutierrez-Moreno, Colleen Hetzel, Hazel Houle, Jesse Krzenski, Priscilla Villa-Watt, Kayla Walsh

Approval of consent agenda

- Meeting minutes from February 21, 2024, Environmental Quality Board meeting
- Proposed agenda for April 17, Environmental Quality Board meeting

**Motion:** Board Member Petersen moved the consent agenda; Board Member Katzenberger seconded. Motion carries with a unanimous vote.

### 2. Executive Director's report

Catherine Neuschler – Executive Director, EQB

- Appointments – EQB is actively recruiting for a new public member in Congressional District 7.
- The Legislative Session is ongoing and there are bills moving that would require some changes to the environmental review rules.
- EQB staff are continuing to move forward on projects, including kicking off the team of technical advisors that are going to help with the climate calculator.

### 3. Tribal Coordination and Consultation Policy

**Presenter:** Kayla Walsh – Environmental Review Program Administrator, EQB

**Type of item:** Decision

**Summary:** EQB seeks to facilitate positive government-to-government relations with all federally recognized Tribal Nations that share geography with the state of Minnesota. While Minnesota Statutes do not require EQB to have a consultation policy, they encourage the voluntary adoption of such a policy.

In late 2023, EQB staff drafted a Tribal coordination and consultation policy, drawing from existing statutes and rules and policies developed by member agencies. The goal of the policy is to establish and document EQB's commitment to involving Tribal governments in our work. The draft policy describes how EQB will engage with Tribal governments on issues under EQB's specific authority, such as rulemaking for environmental review. The policy focuses on staff-level coordination as a tool to promote open dialogue, share information, and ensure that EQB recognizes and responds to Tribal concerns. It also includes consultation, a formal process that happens when a matter needs to be elevated for discussion between Tribal Leadership and EQB Leadership. This draft proposes that EQB consultation involves the board chair, executive director, and EQB's Tribal relations point of contact.

**Discussion:** Members showed overall support for having such a policy.

**Motion:** Board Member Petersen moved to table the Tribal Coordination and Consultation Policy resolution. Board Member Kessler seconded.

**Outcome:** The Chair asked EQB staff to bring this draft to the Minnesota Indian Affairs Council (MIAC) for further input and will present again to the Board at a future Board meeting.

### 4. Draft strategic plan + engagement

**Presenter:** Catherine Neuschler – Executive Director, EQB

**Type of item:** Informational

**Summary:** The Board has had facilitated discussion and provided significant input for drafting and updated strategic plan. The draft strategic plan was presented for input and discussion, in order to determine if changes need to be made prior to seeking informal public input on the draft plan.

**Discussion:**

- The strategic plan needs to align aspirations with staff capacity and set clear expectations.
- There needs to be clear context for any public input.
- It would be beneficial to clarify for the public which agency to go to with their ideas, and how EQB is involved.
- EQB staff is tracking MPCA cumulative impacts rulemaking very closely in order to ascertain if adaptations need to be made to environmental review.

- In addition to the external goals, it's important to have internal goals as well for EQB staff development.

**Outcome:** The strategic plan will go out for public input.

## 5. State Water Plan: Tackling Nitrate

**Presenters:** Presenter: Catherine Neuschler – Executive Director, EQB; Tannie Eshenaur – Water Policy Manager, MDH; Margaret Wagner – Manager, Nonpoint Fertilizer Section, MDA; Glenn Skuta – Director, Watershed Division, MPCA

**Type of item:** Informational

**Summary:** Nitrate in groundwater and surface water is a long-standing complex water issue in Minnesota. Nitrogen is key for crop production, but it is prone to leaching into water resources, and high nitrate levels in surface and groundwater can impact human health and ecosystems. There has been a recent petition to EPA about nitrate in drinking water in SE Minnesota, resulting in EPA directives and state agency response plans. The current state water plan (prepared in 2020) includes goals, strategies, and actions related to protecting drinking water – including specific strategies about preventing nitrate contamination of drinking water. The Board received information on the alignment of the state water plan and specific response to nitrate in SE Minnesota.

**Outcome:** The presenters will return with a follow-up and further discussion at a future EQB meeting.

## 6. Public comment

Carly Griffith, Minnesota Center for Environmental Advocacy: Asked if a presenter could speak to the absence of karst bedrock as one of the geologic conditions of vulnerability in the CAFO permit revisions.

Glenn Skuta responded that the MPCA will be going to public comment on the rule in the summer.

## 7. Closing and adjournment

Board Member Petersen motioned to adjourn. Board Member Arnold seconded. All in favor; meeting adjourned.