

CITIZENS ENVIRONMENTAL QUALITY COMMITTEE – SPECIAL MEETING NOTES

DATE: Tuesday Jan. 22, 2019
TIME: Scheduled for 4:30 pm at the City Hall We-No-Nah Room
PRESENT: Dan Hall, Lynette Power, David Schmidt and Julie Fassbender
GUESTS: Sarah Bruihler (Winona GreenCorps Member)
STAFF: Natural Resources Sustainability Coordinator John Howard

1. Call to order by Chair Hall at 4:34 pm. Julie gave a brief introduction as this is her first meeting. She used to work for the City of Winona, and now works on a variety of projects including being a founder of Boats and Bluegrass. Other committee members introduced themselves to Julie.

2. Review and discussion of proposed rule changes of Minnesota environmental review rules:

John explained that the rules regarding the state environmental review program are being revised and that the state agency overseeing the project, the Environmental Quality Board (EQB), is seeking comments. City staff requested CEQC input to help with any formal comments to likely be sent by the Planning Commission. City, and other interested parties, can submit comments to changes and/or request a hearing.

Chair Hall gave a brief description of the Environmental Assessment Worksheet (EAW) and Environmental Impact Statement (EIS) process. First discussed were the additions of silica sand to the EAW mandatory threshold category. Dan believes the focus on tonnage as the triggering criteria makes the most sense, and seems reasonable to have the MPCA as the entity overseeing this EAW category.

9.8 H. The PCA is the RGU for a silica sand project that:

9.9 (1) is designed to store or is capable of storing more than 7,500 tons of silica

9.10 sand; or

9.11 (2) has an annual throughput of more than 200,000 tons of silica sand.

The CEQC had a question about the scale of 7,500 ton storage and 200,000 tons of throughput yearly average. John did some rough calculations that a semi hauling sand could hold roughly 28 tons, which means nearly 7,000 trucks would be needed to meet the yearly 200,000 tons threshold. This equates to approximately 3.5 trucks an hour during the standard work day. Dan and Julie believe this level of use is reasonable for the EAW threshold. David would tend toward no comment, and not raise the limits. David believes the City would benefit from having an EAW if threshold is exceeded.

John stated that City staff is wondering if the EAW limits would be applied to existing facilities, potentially requiring an EAW even for small changes. If so, this may trigger an EAW for the City owned port terminal. The CEQC believes this is a question for the EQB and lawyers to determine.

CEQC concluded that their recommendation to the Planning Commission be that the proposed silica sand EAW thresholds do not appear to be overly restrictive, so the CEQC advises that the City not make a comment to the EQB on this topic. Lynette expressed reservations at threshold numbers being as high as they are. She believes large sand operations add too much of an industrial feel to town, and that they change the character of Winona – not a quiet college town. More like an oil boom town, so a more stressful environment.

Lynette wonders about the cumulative impact of multiple facilities. Seems it could multiply upwards of 4 or 5. Dan said that environment rules focus on the individual operator, but the EAW would look at cumulative impacts.

John noted that there are other measures to get to an EAW besides mandatory thresholds, such as an RGU request or citizen petition, which requires 250 signatories.

David said City maybe should look at local numbers and potential cumulative impacts for their own approvals. Lynette would like to be proactive on frac sand regulation. Dan sees lack of land as restriction on the future development of a silica sand industry.

Regarding the amendment to how a Responsible Governmental Unit (RGU) gets designated, the CEQC expressed concern over the amendment to allow the EQB chair to unilaterally designate the RGU. Concern is that the RGU designation could be politicized or arbitrary if only one person makes the decision. CEQC suggests “or EQB chair” be struck in Line 3.16 so that the line reads as it previously was.

3.16 Subp. 6. **Exception.** Notwithstanding subparts 1 to 5, the EQB or EQB chair may
3.17 designate, ~~within five days of receipt of the completed data portions of the EAW;~~ a different
3.18 RGU for the project if ~~the EQB determines~~ the designee has greater expertise in analyzing
3.19 the potential impacts of the project.

CEQC members wondered why the EQB proposed this change, and John stated his belief that this was to expedite the review process since the EQB only meets monthly and requires a week or more to get on their agenda. The Chair would be able to act immediately. A RGU may be reassigned if the standard RGU listed in the criteria lacks the capacity to prepare an EAW, such as a very small local government.

3. Salt Reduction Education Program Update:

Dan inquired about publicity and having a press release. John stated that they have advertised to colleges and institutions.

Sarah described the project and program that is scheduled for January 30th. Anyone is welcome to attend, but the focus is on contractors.

Julie noted that she learned some things by reading through Sarah’s presentation, and Fran commented in an email that she believes the slide deck is terrific.

4. Other Business:

Lynette asked about the WSU sustainability fair. John said that given the time, this can wait until the February Meeting.

Lynette likes the idea of having a water bar where people sample water from different places. This makes a strong impression. She has a contact named Charlie who has done it before.

5. Meeting adjourned at 5:30 pm by acclamation.

Minutes prepared by John Howard.