

Action Plan: Environmental Review & Permitting

MFRP Minnesota Forest Futures Conference: TAKING ACTION!

Wednesday and Thursday: December 10-11, 2014

Arrowwood Lodge

Baxter, Minnesota

Environmental Review and Permitting

Recommendation # 1. Exempt wood harvest from the environmental review process until a cumulative harvest threshold quantity of four million cords/year is reached (Legislature, Environmental Quality Board, DNR, MPCA).

Action Steps / Tasks	Responsible Parties Lead/Support Persons	Benchmarks	Timelines
<p>Action Step 1: Develop a common understanding <u>Research:</u> Exactly what are the roles, authorities, procedures, and discretionary areas for environmental review for forest related activities? Wood harvesting?</p> <ul style="list-style-type: none"> • Statutes – what roles and authorities do RGUs, state and/or local agencies have in ER processes? • Rules – what are the thresholds for wood harvest activities that trigger an EAW? EIS? Who are the RGU’s and what decisions can they make? • Guidance – what criteria, standards, procedures are used to guide the development and processing of ERs for wood harvesting activities? Clarify what data and information is required. Are these adequate? Appropriate? • Identify any major projects that have been given exemptions from the ER processes for wood harvesting and document reasons they were exempted. 	<p>DNR Forestry/EQB</p>	<p>Research brief completed</p>	<p>ASAP Jan 2, 2015</p>

<p><u>Preliminary Report:</u></p> <ul style="list-style-type: none"> Determine/document what administrative actions can be taken to allow the exempting of wood harvest activities up to 4.0 M and 5.5 M cords from the ER process. Clarify the administrative “ask”. Determine/document what legislative actions are needed to exempt wood harvest from the environmental review process. Clarify the legislative “ask”. 	<p>DNR Forestry/EQB</p>	<p>Preliminary ER Recommendations Report completed</p>	<p>ASAP Jan 9, 2015</p>
<p>Action Step 2: Develop “game plans” to address key environmental review and permitting issues for wood harvests and forest related ERs.</p> <p><u>Administrative Game Plan:</u></p> <ul style="list-style-type: none"> Develop an inventory of all forest related and wood harvesting activities that require ERs. Identify thresholds for specific activities for both EAW and EIS processes. Develop an inventory of all forestry/wood harvest ERs since 1980. Identify the project name, proposer, RGUs, description of project, specific activity and thresholds exceeded, volumes of wood harvested, etc. Analyze the review timeframes, mitigation strategies, and relevant permitting decisions. Identify specific forest industry and environmental concerns and issues with the ER process. Obtain GEIS data from the U of MN. Organize the data at various scales – statewide, landscape region, county, etc. Review adequacy of the 1994 GEIS. Identify the specific data areas required in the GEIS and their relationship to the relevant EAW and EIS processes for specific forest related and wood harvesting activities listed in Chapter 4410. Develop standalone document of GEIS information that can be used to “automatically kick in” as part of an ER process. Make the data readily available for use by forest industry 	<p>EQB/DNR Forestry</p> <p>EQB/DNR Forestry</p> <p>U of MN/DNR Forestry/EQB</p> <p>U of MN/DNR Forestry/EQB</p> <p>U of MN/DNR Forestry/EQB</p>	<p>Inventory completed</p> <p>Inventory completed</p> <p>Data collected</p> <p>GEIS evaluation</p> <p>Standalone data document competed. GEIS data posted on IIC</p>	<p>ASAP Jan 2, 2015</p> <p>ASAP Jan 16, 2015</p> <p>ASAP Jan 16, 2015</p> <p>Feb 13, 2015</p> <p>Feb 27, 2015</p>

<p>representatives and agencies alike. Place data on the IIC website. Ensure adequate resources are available to the U of MN to support the IIC website.</p> <ul style="list-style-type: none"> Review current rules, processes, data requirements, criteria for water, air, noise and wastewater ERs – guidance, procedures and standards. Look for approaches that could be applicable to ERs for forest related and wood harvest activities. Develop a list of potential future forest related and wood harvest activities and industry projects. Analyze how the current ER requirements would be applied to these projects. Assess ERs required for appropriate changes or mod’s. Review the process and determinations for establishing which agency should be the RGU for wood harvesting activities. Suggest appropriate revisions. Analyze current RGU staff capacity for ability to process forest related and wood harvesting ERs. Analyze current ER thresholds. Develop report with specific recommendations for revising rules, guidance, criteria, standards, procedures and information submittal requirements for forest related and wood harvests activities. <p><u>Legislative Game Plan:</u></p> <ul style="list-style-type: none"> Identify and coordinate with legislative champions. Research previous legislative exemptions from the ER process. Develop draft language for legislative changes. Coordinate with House and Senate staff. Coordinate with Governor’s staff. Review results of 2015 legislative session with stakeholder group – forest industry, environmental organizations agencies, etc. to assess progress made during session. 	<p>U of MN/DNR/EQB</p> <p>EQB/MPCA/DNR Forestry</p> <p>EQB/DNR Forestry</p> <p>EQB/DNR Forestry/MPCA EQB/DNR/MPCA EQB/DNR/MPCA</p> <p>MFI, TPA, MFRC, MFRP House/Senate Research</p> <p>MFI, DNR MFI, MFRC MFI, MFRC MFI, MFRC, MFRP</p>	<p>website</p> <p>Report completed</p> <p>Research paper completed</p> <p>Research paper completed</p> <p>Research paper completed Research paper completed Forest Mgmt Wood Harvest Environmental Review Report</p> <p>Confirm champions</p> <p>Research paper</p> <p>Draft bill Connections made Connections made Stakeholder meeting</p>	<p>March 1, 2015</p> <p>March 1, 2015</p> <p>March 1, 2105</p> <p>March 1, 2015 March 1, 2015 April 1, 2015</p> <p>Jan 6, 2015</p> <p>Jan 6, 2015</p> <p>Jan 30, 2015 Jan 6, 2015 Jan 6, 2015 June 2015</p>
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<p>Action Step 3: Communicate the new forest industry environmental review paradigm – processes, procedures and protocols.</p> <p><u>Resource Agencies</u></p> <ul style="list-style-type: none"> • Train staff on existing and new ERs processes, criteria, standards, procedures, and protocols. • Develop public information materials that explain the new ER processes for wood harvesting activities to the environmental community and the general public. <p><u>Economic Development Agencies</u></p> <ul style="list-style-type: none"> • Develop marketing materials that explain the new ER processes to forest products industry interests. <p><u>Forest Products Industry</u></p> <ul style="list-style-type: none"> • Support the distribution and use of marketing materials that explain the new ER processes. <p><u>Environmental Organizations</u></p> <ul style="list-style-type: none"> • Support the distribution and use of public information materials that explain the new ER processes. <p><u>Governor</u></p> <ul style="list-style-type: none"> • Meet with the Governor before and after the 2015 legislative session to brief him on forest products industry and environmental organization interests relating to ER processes and progress made. <p><u>Legislature</u></p> <ul style="list-style-type: none"> • Meet with legislative leaders before and after the 2015 legislative session to brief them on forest products industry and environmental organization interests relating to ER processes and progress made. <p><u>General Public</u></p> <ul style="list-style-type: none"> • Develop and distribute relevant public information spots and news releases targeted towards the general public. Place and maintain on appropriate websites. 	<p>EQB/DNR/MPCA</p> <p>EQB/DNR/MPCA</p> <p>EQB/DEED/MFI</p> <p>MFI/TPA/DEED/MFRP</p> <p>DNR/MFRC/MFRP</p> <p>DNR/MFI/MFRC</p> <p>DNR/MFI/MFRC</p> <p>DNR/U of MN/MFI</p>	<p>Training sessions held</p> <p>PR materials distributed</p> <p>PR materials distributed</p> <p>PR materials distributed</p> <p>PR materials distributed</p> <p>Briefing meetings held</p> <p>Briefing meetings held</p> <p>PR materials distributed, website materials posted</p>	<p>Fall 2015</p> <p>Ongoing</p> <p>Summer 2015</p> <p>Summer 2015</p> <p>Summer 2015</p> <p>Summer 2015</p> <p>Spring and Fall 2015</p> <p>Spring and Fall 2015</p> <p>Fall 2015 ongoing</p>
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Recommendation # 2. Rec. # 2. Improve environmental review predictability timelines and efficiency by taking the following actions:

Action Steps / Tasks	Responsible Parties Lead/Support Persons	Benchmarks	Timelines
<p>Sub-Recommendation A. Continue to support Minnesota Business First Stop, which provides a helpful service to the Minnesota business community (Governor).</p> <p>Action Steps. <u>Increase Awareness.</u></p> <ul style="list-style-type: none"> Support efforts by DEED to increase awareness in the forest products industry and related service businesses about Minnesota Business First Stop, DEED, and the economic development organizations in the state. <p><u>Customer Service Survey</u></p> <ul style="list-style-type: none"> Develop and periodically implement a customer service survey to evaluate what’s working, what’s not working so well, lessons learned, and resources needed to enhance this service. Ask how customers learned about Minnesota Business First Stop and ways they can help get the word out about it. 	<p>MFI/EQB/DNR/MPCA</p> <p>DEED</p>	<p>Website links, ER info handouts</p> <p>Survey report</p>	<p>Ongoing</p> <p>Annually</p>
<p>Sub-Recommendation B. Let applicants know what documents are needed and make this information easily accessible at the outset of the environmental review process (DNR, MPCA).</p> <p>Action Steps. <u>Use Previous Research</u></p> <ul style="list-style-type: none"> See documents developed for Recommendation 1, Actions 1 and 2. Integrate with this sub-recommendation. <p><u>Pre-Application Review Team</u></p> <ul style="list-style-type: none"> Create and support a pre-application review team represented by key state agencies/likely RGUs to meet with 	<p>EQB/RGUs</p> <p>EQB/RGUs</p>	<p>Active use of previous research</p> <p>Creation of team</p>	<p>Ongoing</p> <p>Summer 2015 Ongoing</p>

<p>potential wood harvest project proposers to provide them with as much relevant information on the ER and permitting processes as possible.</p>			
<p>Sub-Recommendation C. Adhere to the rules set at the beginning of the review process so as to avoid ‘scope creep’ during the later stages of the review process (DNR, MPCA). Action Steps. <u>ER Process Review Team</u></p> <ul style="list-style-type: none"> • Periodically convene staff from relevant RGUs to review processing requirements and standards. Identify and provide group training as needed. • Periodically convene agency staff with forest industry, consulting engineers and planners, and economic development reps to review the submittal requirements and processing protocols for forest related/wood harvest ERs. • Review Timeframes. Post on EQB website, the live or current status for all of forest related and wood harvest proposals. • Clock Stoppages/Resets. Do not reset the 150 day timeframe for projects with incomplete submittals. Simply take a timeout and restart the clock when information is submitted. RGUs need to make sure they provide clear and complete list of additional information required • Minor and Major Information Submittals. Do not stop the review clock for minor information items such as signatures on forms. • Maintain GEIS Data. Regularly update wood supply data and integrate it into the standalone document for use by proposers and RGUs. • Scope Creep Report. Develop a report on scope creep based on information gathered through the action steps above and in Recommendation # 1. Distribute to RGUs and EQB Board. 	<p>EQB/RGUs</p>	<p>Creation of team</p>	<p>Fall 2015 annual meetings</p>

<p>Sub-Recommendation D. Provide applicants with <i>one</i> contact who handles the required documentation at the outset of the environmental review process (DNR, MPCA). Action Steps.</p> <ul style="list-style-type: none"> • Continue Current Methods. • Post Contacts Names on EQB Website. 	<p>EQB/RGUs</p>	<p>Website posting</p>	<p>Already in place Jan 2015</p>
<p>Sub-Recommendation E. Recognize that electronic communication allows for faster exchange of information, and use that to shorten the length of environmental review by reducing the ‘dead time’ during the re-view process (DNR, MPCA). Action Step 1. Clarify Recommendation</p> <ul style="list-style-type: none"> • Review intent of this sub-recommendation with Mike Kilgore. • Review and assess the review time used for forest related and wood harvest EISs and EAWs with various RGUs. Identify time delays caused by information exchange issues. Communicate results to RGUs so as to help prevent these from occurring in the future. See report suggested in Recommendation #1, Action Step 2. 	<p>EQB/MFRP/U of MN EQB/RGUs</p>	<p>Phone call Meeting</p>	<p>ASAP Feb 2015</p>