

**Northern Counties Land Use Coordinating Board**

Northome Senior Center

Northome, MN

May 7, 2015

MINUTES

**Call to Order:** The meeting was called to order by Chairman Rich Sve at 9:30 a.m.

**NCLUCB Members Present:** Rich Sve, Brian Napstad, Don Jensen, Wayne Skoe, Buch Nordlof, Wade Pavleck, Garry Gamble.

**Other participants:** Greg Nelson (MDNR), Bill Whiteside (citizen), John Chell (secretary).

**Additions to the Agenda:** SF 1140 (Pavleck), Fond du Lac Class 1 initiative (Sve), Polymet wetlands (Napstad)

**Actions on Minutes for April 2, 2015:** secretary requested delay in approval until next meeting.

**Financial Report:**

General Fund Balance:	\$ 135, 309.34
Accounts Payable:	
Minnesota Discovery Center	\$ 244.65
Assoc. of Minnesota Counties	\$ 381.55
J. Chell prof services	\$ 499.89
M. Pavleck, S. Nordlof. Approved.	

Audit: Peterson Company Ltd bid for \$1200.  
M. Pavleck, S Gamble. Approved.

**Rep. Nolan Letter:** Chairman Sve noted that he discussed the issue of Waters of the U.S. draft regulations with AMC Executive Director Julie Ring. Ring suggested that NCLUCB should acknowledge Klobuchar's position and thank her for her vote. NCLUCB members discussed response letters to both Rep. Nolan and Senator Klobuchar regarding their positions on WOTUS generally and SF 1140 specifically. Commissioner Napstad suggested that an NCLUCB letter representing member counties would be more effective than individual county responses. Commissioner Gamble agreed stating that she has represented her constituents concerns and a letter will reinforce our position that elected leaders must respond to citizen inquiries and give us thoughtful answers to their votes.

Citizen Bill Whiteside of Hibbing asked to repond and made the following points:  
We should be worried about losing more control of our state's water

resources to Federal control and we should do all we can to oppose both Federal and international actions to usurp local control of our resources.  
NCLUCB member comments:

Napstad: Bill is correct in voicing his concerns. Whether the issue is critical habitat, Class 1 air designations, WOTUS..all of these are federally driven. Fortunately, we belong to NACO, AMC and other effective organizations to help us engage our elected national representatives.

Gamble: the accelerated pace of regulatory standards are encumbering and overwhelming local governments throughout the nation. Where are the checks and balances? We as county commissioners and NCLUCB members are obligated to combat Federal encroachments when we believe local powers are being abrogated. There must be effective tension between national and local policy initiatives. It is our constitutional duty to oppose this growing federalism.

Sve: NACO is an effective organization in representing the positions and concerns of 3,078 counties throughout the nation. We continue to work through NACO to ensure our national representatives hear our voices.

Skoe: I am concerned by Nolan's position on WOTUS. Who is he seeing as his constituents? We should invite Nolan's local staff person to a NCLUCB meeting in the near future.

Pavleck: To his credit, Nolan has worked with Koochiching County on a number of problems we face, particularly the CN rail traffic problem. He always shows up.

Jensen: He's been supportive of many local programs, but we need to understand his vote. It seems that we lose control during the rule making process.

Commissioner Pavleck moved and Commissioner seconded a motion to authorize Chairman Sve to send letters to both Representative Nolan and Senator Klobuchar regarding Waters of the U.S. draft regulations and legislation. Motion passed. (Letters attached to Minutes of May 7, 2015).

**Utility Corridors:** Commissioners discussed the various transmission alignments proposed within the NCLUCB region. Skoe commented that the affected counties have been asked about route preferences and that county residents seem satisfied with the process. Nordlof also agreed with the input process.

Napstad noted that the Sandpiper preferred alignment has been submitted to the Administrative Law Judge. Napstad also cited comments by the Clearwater County assessor: In 2007, 17% of the county levy was paid by pipelines...and in 2014, utilities represented 69% of levy revenues.

Commissioner Pavleck stated that CN has discussed their situation with the

county on several occasions and it is his opinion that pipelines are clearly the safest means of transporting petroleum resources. CN has noted that coal and grain haul capacity is restricted by oil hauling on rail lines.

Commissioner Napstad emphasized the economic impact of pipeline corridors when sited correctly: We have many opponent criticizing our support by suggesting that pipeline construction creates only “temporary jobs” as if the ongoing maintenance and tax revenues are insignificant to the rural economy. Tourists to this region probably represent the equivalent of one or two Vikings games in the Metro and that is just not enough to support a rural economy.

### **Commissioners' Roundtable**

Commissioner Napstad noted that Kennecott is conducting ongoing mineral exploration in Aitkin County and that Polymet has now met with many county and multicounty groups throughout Northern Minnesota. Representatives are suggesting that resolutions of support for their project would be helpful for their proposal. St. Louis County has passed a supportive resolution. NCLUCB should also consider a resolution of support at an upcoming meeting.

Brian also lead a discussion on the status of revisions to the Wetland Conservation Act currently before the legislature. He stated that the Wetlands Workgroup is now considered a standing committee that will continue to meet after the legislative session. He was particularly satisfied with their work on establishing priority wetland mitigation zones or sites which would reduce or eliminate mitigation in those counties where abundant wetlands already exist. In-lieu language in the revisions appears to have strong support, but some concern exists regarding the right of counties to appeal mitigation proposals embodied in mining regulations at the state level.

Skoe suggested that loggers are concerned regarding unintended consequences of the WCA revisions. Napstad replied that the current draft would protect forest harvest in counties where a forest management plan is established.

Sve discussed the Fond du Lac Class 1 air designation. He indicated that both NACO and AMC are tracking this proposal and others similar initiatives in the nation, but are not yet prepared to draft a policy position.

Skoe suggested that NCLUCB invite reservation representatives to an upcoming NCLUCB meeting to outline their intent with the proposed designation and what their perceptions are regarding the economic and environmental consequences of an affirmative designation for tribal enterprises as well as regional impacts. Gamble stated that we need more information from areas where tribal designation have been implemented.

Next meeting: June 4. ( June 4 subsequently canceled due to conflicts with other county meetings.)

Adjournment: 12:05.