



## **Meeting Minutes: Attorney General's Advisory Task Force on Future of Minnesota's Water**

Meeting Date and Time: June 11<sup>th</sup>, 1:00 pm – 4:00 pm

Minutes Prepared By: Abdulaziz Mohamed

Location: Minnesota State Capitol, and Microsoft Teams

### **Attendance**

#### **Members Present**

Representative Kristi Pursell (Ex-Officio)

Representative Isaac Schultz (Ex-Officio)

Senator Ann Johnson Stewart (Ex-Officio)

Senator Keri Heintzeman (Ex-Officio)

Director Kate Smith (Proxy for Ex-Officio member Assistant Commissioner Jess Richards)

Brad Jordahl Redlin (Ex-Officio)

Assistant Commissioner Myra Kunas (Ex-Officio)

Assistant Commissioner Dana Vanderbosch (Ex-Officio)

Kelly Applegate

Will Bement

Darin Broton

Erick Francis

Peg Furshong

Caroline Griffith

David Leuthe

Angela M. Lipelt

Julie Lucas

Neva Maxwell

Jeff Pagel

Tessa Parks

Nancy Schuldt

Lienne Sethna

Professor Harvey Thorleifson

#### **Attorney General's Office (AGO) Staff Present**

Attorney General Keith Ellison

Carin Mrotz

Oliver Larson

Anya Pavlov-Shapiro

Christina Brown

Abdulaziz Mohamed



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Laura Sayles  
Matt Gladue

## **Agenda Items**

### **1. Call to order and roll call**

Attorney General Keith Ellison called the meeting to order at 1:05 pm. A quorum was present.

### **2. Task Force Member Introductions**

Attorney General Keith Ellison asked task force members to introduce themselves, share their specific focus area in water, and their personal connection to water:

- Tessa Parks represents the W.T. Farms and Clean River Partners, helping connect farmers with resources to help adopt conservation practices. In her spare time, she manages her own farm, raising beef and hay with her husband in the Northfield area.
- Kate Smith directs the Ecological and Water Resources Division at the Minnesota Department of Natural Resources, supporting the conservation and management of waters, ecosystems, and fish and wildlife habitats. Growing up fishing, swimming, and boating in Minnesota waters, she's committed to long-term water stewardship for future generations.
- Dana Vanderbosch serves as Assistant Commissioner for water policy and agriculture at the Minnesota Pollution Control Agency. With over 30 years of state agency experience, she helps monitor water and groundwater, issuing water discharge and stormwater permits, and developing watershed models. She's a lifelong Minnesota who's fished and swam in Minnesota waters.
- Nancy Schuldt represents the Fon du Lac Band of Lake Superior Chippewa as a water projects coordinator, helping develop their water quality standards by integrating monitoring and assessment, and incorporating traditional knowledge. Personally, she cares for Lake Superior, having first seen it as a child, and believes in incorporating tribal voices to water protection efforts.
- Julie Lucas represents MiningMinnesota, the trade association focused on resources that are noniron (primarily helium). A big part of her upbringing was living near Lake Superior in Duluth, inspiring her to study water resources science in school.
- David Leuthe is a retired water resources manager, spending most of his career at the Department of Natural Resources and retiring as its Deputy Director of Ecological and Water Resources. Growing up boating and swimming, he studied water and natural resources in college. Excited to learn from other task force members, David believes it urgent to address current water challenges for the future.



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- Assistant Commissioner Myra Kunas represents the Minnesota Department of Health, focused on work related to drinking water protection, well management, source water protection, and interfacing with similarly charged state agencies. Much of her life was spent in Illinois, bordering the Mississippi River, where she studied ecology in school.
- Caroline Griffith represents the Minnesota Center for Environmental Advocacy, an environmental law nonprofit focused on permits, administrative rules, and interfacing with the legislature. Heading the nonprofit's water program focused on water quality and quantity, she's interested in homing in on where the task force has the tools, the capacity, and the coalitions to make meaningful progress in the water space. Personally, she's an open water swimmer, doing races in Lake Superior, and a rower, rowing on the Mississippi River most afternoons after work.
- Keith Ellison is the Minnesota Attorney General. Growing up in Detroit, he learned how to swim and fish on the Detroit River, while frequenting Lake Huron. He often visited his mother's hometown in Nachridge Parish, Louisiana, home to Cane River.
- Oliver Larson is the Manager of the Environmental and Natural Resources Division in the Attorney General Office, representing the primary state regulators of water in litigation, which informed his understanding of how Minnesota approaches regulating and managing water resources. He and his wife own a cabin near the Brainerd Lakes area.
- Carin Mrotz is the Senior Advisor for Policy and Special Projects in the Attorney General's Office. Originally from a suburb of Fort Lauderdale near both the Atlantic Ocean and the Everglades, she later moved to Minnesota, quickly discovering the state's strong connection to and appreciation for its water resources.
- Senator Keri Heintzeman is the State Senator for District 6. Representing, in part, the Brainerd Lakes area, a popular destination for cabin residents and retirees alike, she looks forward to bringing her experiences to the task force.
- Darin Broton is the Executive Director of Minnesota AgriGrowth, a statewide coalition of farm and commodity groups, agribusiness, food, manufactures, research institutions, and other allied industries. He grew up in Dodge Center near the Dodge Center Creek. Through his day job, he recognizes that water plays an integral role in our state's food and agriculture system.
- Lienne Sethna is a freshwater researcher with the Science Museum of Minnesota's St. Croix Watershed Research Station. Growing up in Ohio near Cleveland, the Cuyahoga River's history with the Clean Water Act motivated her understanding of our collective connection to water.
- Jeff Pagel is a member of the State Board of Directors for the Minnesota Farm Bureau, the largest farmer organization in the state with over 31,000 members. A dairy farmer from Southeast Minnesota with his family, he understands the importance of water and its usage in agriculture.
- Angela Lipelt represents Mower County. Previously, she worked as a water planner, interfacing with water-related state agencies and protecting groundwater



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and surface water. Like Darin, she grew up in the Dodge Creek area, helping with the family farm, playing with aquatic animals that roamed around, and participating in water recreational activities.

- Erick Francis works as the water resources manager in the City of St. Louis Park, guiding water resources redevelopment in the city for the last decade, and having been involved in water resources work for around 25 years. Similarly to other task force members, he grew up around water and recognizes its economic and environmental vitality to Minnesota.
- Brad Jordahl Redlin represents the Minnesota Department of Agriculture, managing agriculture conservation services for the department. Prior to his state government service, he worked on a range of issues in D.C, including the farm bill. His personal connections to water are twofold: having a Minnesota river placed on each table at his wedding reception and kayaking with his family.
- Peg Furshong represents CURE, a rural nonprofit organization, where she works at the intersection of climate, water, energy, and lands. Growing up in the mountains of Montana, she moved to the Fargo-Moorhead area of the state in the late 90s. Her motivation to this work stems from her three children and her culture, which views women as the keepers of water.
- Senator Ann Johnson Stewart is the State Senator for District 45. A licensed civil engineer, her issues of concern include construction, permitting, wastewater, drinking water, bonding, data centers, and invasive species in the Great Lakes. Originally from Wisconsin, her family had a cottage on Lake Pepin, which was unsuitable for swimming during the summer months prior to substantive water policy changes. Upon graduating from college with a civil engineering degree, she moved to Minnesota to work on sanitary storm sewer separation and has provided her water expertise ever since.
- Representative Isaac Schultz is the State Representative for District 10B. Living in the same township that his family settled in over 150 years ago, he's worked on a range of water policy issues and promotes outdoor and water recreation. Believing in prioritizing Minnesota's economic growth, he serves on the Environmental and Natural Resources committee in the Minnesota House.
- Harvey Thorleifson is a Professor in the College of Science and Engineering at the University of Minnesota. From directing the Minnesota Geological Survey and working as a research scientist with the Governor of Canada to participating in an expert panel on a groundwater contamination tragedy, he's focused on ensuring we are best informed to make good decisions on water.
- Kelly Applegate is the Commissioner of Natural Resources with the Mille Lacs Band of Ojibwe, believing in the right to the spiritual and protective nature of water.
- Representative Kristi Pursell is the State Representative for District 58A. A clean water professional for over 15 years, most recently with Clean River Partners, she often thinks of her family's Stearns County farm in connection with this work. Her Southeast Minnesota community is facing water contamination and pollution, motivating her Environmental and Natural Resources Committee post in the House.



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- Neva Maxwell serves as the Planning and Zoning Administrator for Cook County, interpreting and applying land use regulations. Bringing a local government perspective shaped by current and previous leadership posts, and the distinctive landscapes and communities in the Northeast region of the state, she hopes to contribute insights about what's working on the ground as well as where we can improve coordination and support. In the summer, her family spends time paddling in the Quetico Superior wilderness, while harvesting wild rice during the fall months.
- Will Bement is the Fisheries manager for the White Earth Band of Ojibwe, working full time in different capacities for 21 years. A lifelong member of the reservation, with its seasons revolving around water, he intends to bring the perspective of his tribe's management strategies and practices.

### **3. Welcome from Attorney General Keith Ellison**

Attorney General Keith Ellison shared that Minnesotans care about water and have a stake in protecting it. As a water state with a deep attachment to the resource, its stewardship is important, especially in the context of pressures like increasing demand and global climate change. The task force, including experts from different fields that interface with water, is here to expand what's possible for the future of Minnesota's water, and task force members should involve themselves in respectful discussion and collaboration.

### **4. Overview of the Attorney General's Office's (AGO) Interaction with Water**

Environmental and Natural Resources Division Manager Oliver Larson provided a brief overview of how the Attorney General's Office interacts with water and water regulators, sharing a few notes of optimism about what can be accomplished:

- The AGO represents all major state water regulators, namely the Minnesota Pollution Control Agency, the Minnesota Department of Natural Resources, the Department of Agriculture, the Minnesota Board of Water & Soil Resources, and the Minnesota Department of Health.
- Being able to view across the state government enterprise, the AGO can see what makes for good and effective regulation (controlling what needs to be controlled while allowing what needs to happen).
- The AGO doesn't choose where it lands on a water issue, meaning the water regulators end up in litigation and the AGO's obligation, constitutionally, is to defend them under state law. Through that experience, Oliver Larson shared that he rarely sees bad intent. Most people, even when they disagree, are coming from a place where they're committed to good policy.
- The AGO interfaces with many states, and one note of optimism is that Minnesota has one of the strongest and most effective water regulatory schemes in the country. That doesn't mean that there aren't gaps, necessities for improvements, or a requirement to contemplate the future. Rather, it means that Minnesota has a good



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set of regulations as a starting point, and Oliver Larson hopes that the task force can take up the challenge of providing similar strong, robust, effective means of protecting water for future generations.

- Another note of optimism is that there's no real partisan sorting of states that do well at this versus not. Instead, Oliver Larson sees that the states with the biggest problems are the states that do the least.
- The task force should take up the challenge of thinking about and tackling difficult problems now before they snowball and become harder over time.

## **5. Office of Collaboration and Dispute Resolution (OCDR) Presentation**

A presentation on collaboration and dispute resolution for task force members was provided by OCDR Director Katie Pratt.

## **6. Open Meeting Law Presentation**

A presentation on open meeting law was provided by Assistant Attorney General Anya Pavlov-Shapiro.

## **7. Task Force Business**

Task force business, including reviewing the task force meeting schedule and suggesting programming, and co-chair nomination and voting:

- Carin Mrotz identified that the task force meeting schedule is included in members' packets. The February date will be changed in the next couple of weeks, as it inconveniently falls on the first day of session.
- Carin Mrotz shared there's an expectation that task force member field trips will be scheduled during the off months, and members are encouraged to submit ideas for locations to visit in Minnesota. Some locations and activities offered by task force members during the meeting: the Fon du Lac Reservation, Spirit Lake Native Farms, the University of Minnesota's Saint Anthony Falls Laboratory, kayaking on the Mississippi River, visiting the Southcentral and Southwest parts of the state, the Bonanza Valley, and the University of Minnesota Duluth's Fresh Water Discovery Day on July 31<sup>st</sup>, if schedules allow.
- Carin Mrotz explained that a position description and notice was given regarding the nomination of co-chairs for the task force meeting.
  - The task force was notified that Nancy Schultz was appointed as a co-chair by the Attorney General; Jeff Pagel nominated himself for co-chair, and he accepted; Representative Kristi Pursell nominated Tessa Parks and Senator Ann Johnson Stewart as co-chairs and Tessa Parks accepted.
  - Darin Broton moved to amend the bylaws to allow for three co-chairs on the task force. On a unanimous count, the amendment to the bylaws was accepted.





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- Darin Broton moved that all three co-chair candidates be named as co-chairs. On a unanimous count, Nancy Schultz, Jeff Pagel, and Tessa Parks were named co-chairs.

## **8. Organizing Our Work Together**

A presentation and discussion session on Organizing Our Work Together was led by Senior Advisor for Policy and Special Projects Carin Mrotz with task force member participation:

- Structuring our Time Together
  - Six meetings including the June 11<sup>th</sup> task force meeting
  - Last meeting will likely focus on recommendations
  - Four remaining meetings
    - Public testimony at each meeting
    - Presentations to take place
- Temporary/Draft Topic Buckets for Consideration
  - Water Quality
  - Water Access
  - Water Sustainability

At this stage, is there something missing? Task force members suggested:

- Water quantity be a part of the mix alongside water quality, the meetings be structured around the chosen themes, with the final meeting synthesizing what's been discussed, water's cultural significance be delved into, the economics of water be explored, and flooding be incorporated into the conversation in some fashion.

### **Water Quality – What's Been Heard**

- Need for safe and clean drinking water across Minnesota
- Mitigate and prevent pollution and impacts
- Mitigate and prevent aquatic invasive species impacts

At this stage, what isn't included in water quality that should? Task force members suggested:

- Distinguishing between surface water and groundwater, addressing aquatic ecosystem functions, such as pollution affecting nutrient cycling and habitat for animals, and expanding the scope of pollution to include topics like PFAS and diseases.

### **Water Access – What's Been Heard**

- Where is there a lack of access to water to live, work, and play?
- Need to protect water as a sacred resource
- Reminder to engage underrepresented voices in these conversations



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At this stage, is there something missing in water access? Some of the task force members suggested:

- Exploring the public health framework for public and private water systems, addressing unequal protection for people in private well settings, examining pre-code wells, and discussing recreational access to water.

**Water Sustainability – What’s Been Heard**

- Protect and preserve shoreline
- How can we mitigate climate change impacts on our water?
- How will federal changes impact Minnesota’s water?
- Impacts of large water users

At this stage, is there something missing in water sustainability? Task force members suggested:

- Discussing state interests in Minnesota’s water and who has the rights to access and use our water, examining droughts and floods and water infrastructure needs, readying a presentation on groundwater provinces and geology of Minnesota, highlighting wetlands as a task force conversation, and acknowledging Minnesota’s regional responsibilities, such as its obligation to the Great Lakes Compact.

**Following the brainstorming session, where does it make the most sense to start, and how should the task force organize itself moving forward?**

- Rather than organizing immediately into topic buckets, begin with a kind of “table setting” or “level-setting” to help establish a shared foundation, identify key opportunities, and then move towards what’s possible.
- Take a landscape view through presentations that highlight what’s working, what’s not, and what’s on the horizon.
  - Compiling the Environmental Quality Board’s 2020 State Water Plan and determining how it’s applicable to the task force’s charge.
  - Oliver Larson to provide an overview of Minnesota’s legal and regulatory framework for water, including local, state, and federal roles. This can be paired with ex-officio state agency presentations on water programs and history.
  - Professor Harvey Thorleifson can cover the geology of Minnesota and groundwater provinces.
- Carin Mrotz can meet with the co-chairs to develop an agenda for the next task force meeting.

**9. Adjournment**

Attorney General Keith Ellison adjourned the meeting at 3:57 pm.