

Subject Transportation cumulative impacts analysis

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Overview

This bill requires a transportation cumulative impacts analysis on some trunk highway projects proposed in or near environmental justice areas and sets requirements on proceeding with the project in some circumstances.

Summary

Section	Description
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1	Coordination.
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Directs the Minnesota Pollution Control Agency (MPCA) to consult with the Minnesota Department of Transportation (MnDOT) and seek to craft its in-progress administrative rules on cumulative impacts analysis in a manner that allows for those rules to be aligned with the transportation cumulative impacts analysis required in this bill.

2	[Adds § 161.178] Transportation cumulative impacts analysis.
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Establishes requirements governing performance of a transportation cumulative impacts analysis and responses when substantial adverse cumulative impacts are identified, which is required for some trunk highway projects prior to adding the project to the four-year state transportation workplan.

Subd. 1. Definitions. Defines terms for the section.

Subd. 2. Application; implementation. Paragraph (a) identifies types of trunk highway projects for which the impacts analysis provision applies, which includes (1) being at or above specific total project cost estimates (of \$15 million in the Twin Cities metropolitan area or \$5 million in Greater Minnesota); and (2) location of the project in or within one mile of an environmental justice area.

Paragraphs (b) and (c) delay implementation of the requirements until one year following adoption of administrative rules on cumulative impacts analysis by the

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MPCA (which are currently in progress and will apply to applications for some facility permits).

Subd. 3. Impacts analysis; process. Establishes conditions that trigger conducting an impacts analysis and requirements on making a cumulative impact determination. Sets requirements on proceeding with the trunk highway project if a cumulative impact determination is made.

Subd. 4. Impacts analysis; requirements. Directs MnDOT to develop an impacts analysis process. Specifies requirements that must be addressed, including benchmarks to trigger a mandatory analysis, the content of the analysis, and criteria for identifying whether the project has a substantial adverse cumulative impact. Requires the process to align with similar MPCA administrative rules on cumulative impacts analysis to the extent feasible.

Subd. 5. Public meetings. Sets requirements on public meetings in the affected environmental justice area.

Subd. 6. Community benefit agreement. Directs MnDOT to develop policies on a community benefit agreement between the entity developing the trunk highway project and a local unit of government in the affected environmental justice area. Specifies elements that must be included and addressed in the agreement. Requires the policies to align with similar MPCA administrative rules on community benefit agreements to the extent feasible.

Subd. 7. Mitigation action. Allows for inclusion of specified mitigation activities in the community benefit agreement.



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