



Environmental Quality Board
520 Lafayette Road North
Saint Paul, MN 55155

May 3, 2021

Senator Bill Ingebrigtsen
3207 Minnesota Senate Building
St. Paul, MN 55155

Representative Rick Hansen
407 State Office Building
St. Paul, MN 55155

Dear Senator Ingebrigtsen and Representative Hansen,

Thank for the opportunity to submit comments on the side-by-side version of S.F. 959 on the behalf of the Environmental Quality Board. We look forward to working with you during the Conference Committee process.

Deadline Extension – 404 Assumption Study

The Senate version of Article II includes a deadline extension for the report on Minnesota assumption of the section 404 permitting program of the Federal Clean Water Act. EQB supports this extension. EQB entered into an agreement with the Board of Water and Soil Resources to implement the project and we are coordinating closely with them. This is a complex study and COVID-19 has slowed communications with federal agencies. The additional time on the study will allow for a thoroughly researched final product.

EQB Operating Budget

EQB supports the budget provision contained in the House version of Article I. EQB plays a unique role in addressing complex, cross-jurisdictional environment and natural resource issues. Every dollar invested in EQB is multiplied. We lead collaborative, interagency projects that leverage time and experience from our member agencies and help our state move faster on environment and natural resource outcomes. Our work is in high demand. We continually hear from members of the public across the state that they want more opportunities, not less, to engage with the Board and advance collaborative problem solving.

Our budget is already lean. We frequently have to turn down projects requested by our Board members, the business community, local governments, and the public for lack of resources. The proposed budget reductions in

the Senate version would mean Minnesotans would have less access to Board activities on the issues they care about. We would be forced to cut one staff position (more than 10% of our staff capacity) and scale back our work plan for the next biennium.

Environmental Review Citizen Petition Provision

The Senate version of Article II contains a provision changing the environmental review citizen petition process to require that individuals signing on to a petition must reside or own property in a county where the proposed action will be undertaken or in an adjoining county. The EQB opposes this change for the following reasons:

- EQB completed a preliminary review of citizen petition addresses and found that majority fall within, or adjacent to, the county where a proposed project will be located. Therefore, this change is unnecessary and creates a potential limitation for Minnesotans wishing to petition their government for environmental review.
- This provision would prohibit Minnesotans from signing on to a petition when they have cultural or recreational ties to the location of a proposed project, but do not reside or own property in that area. Not all Minnesotans can afford to own property in the places that matter to them. This should not prevent them from requesting environmental review if they are concerned about potential environmental impacts to those places.
- Air and water don't respect county boundaries. Proposed projects could have the potential for significant environmental impacts beyond the boundaries of adjacent counties.

Thank you for your consideration.

Sincerely,



Katie Pratt
Executive Director, Environmental Quality Board

CC:

Laura Bishop
Chair, Environmental Quality Board
Commissioner, Minnesota Pollution Control Agency

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