

April 22, 2022

The Honorable Rena Moran
Chair, House Ways and Means Committee
407 State Office Building
St. Paul, MN 55155

Dear Chair Moran and Committee Members,

Thank you for the opportunity to comment on House File 4492, the Supplemental Environment and Natural Resources Omnibus bill. The Environmental Quality Board (EQB or Board) appreciates the work of Chair Hansen and the Environment and Natural Resources Finance and Policy Committee to assemble this bill and we welcome the opportunity to continue working together during the conference committee process.

Governor's recommended budget item – Technical assistance for environmental review

We were disappointed that the \$600,000 to the EQB for technical assistance for environmental review that was recommended in the Governor's budget was not included in H.F. 4492. The EQB is currently working on updating the Environmental Assessment Worksheet (EAW) form to include information on greenhouse gas emissions and climate adaptation. Including climate information in environmental review is important for evaluating potential environmental impacts, planning for and mitigating those impacts, and making sound decisions. Environmental review provides transparency to Minnesota communities including those who will be most impacted by climate change.

Local governments and businesses have asked EQB to provide more sector-specific tools and resources to effectively and efficiently include climate information in the EAW. Based on extensive engagement and research on available tools, EQB has concluded that this investment is important for providing additional accuracy and consistency of public information. EQB staff do not have the technical expertise to develop the greenhouse gas assessment tools that are being requested, and a one-time appropriation will allow EQB to contract with a technical consultant. If developed, these tools will also be useful beyond environmental review and will be available for all Minnesota communities and businesses to use for planning, and to help identify opportunities for climate-smart design, development, and innovation.

Article 2, Sec. 67 – Per Diem increase for public EQB members

The EQB is pleased to see a per diem increase for EQB public members included in this bill. EQB is comprised of eight public members, one from each congressional district in Minnesota, who serve alongside nine state agency leaders. EQB's public members bring diverse experiences and perspectives to the Board and help elevate the voices of Minnesotans in government planning and decision making. Our public members put in many hours preparing for and attending meetings, studying issues before the Board, and connecting with constituents in their districts. Their public service is valuable to the state and warrants this per diem increase. In addition, this increase is helpful for recruiting public members who may face barriers to serving on the Board.

Article 2, Sec. 68 – Demographic analysis in environmental review

The Environmental Quality Board oversees the state’s Environmental Review Program, as authorized in Minnesota Statutes 116D and outlined in Minnesota Rules chapter 4410. EQB is responsible for making program improvements, providing technical assistance, and fulfilling administrative functions for the Program. State statutes and rules delegate the authority to other state and local governments to apply the rules to individual projects.

Section 68 of this bill will add an additional requirement for the content of an EAW or environmental impact statement, when a proposed project has the potential to negatively impact an environmental justice area. As described in Section 61 of the bill, the new information is intended to indicate the sensitivity of exposed populations to the potential environmental effects of a new project located in their community, and assess the exposed population's ability to withstand, respond to, or recover from exposure to additional pollution.

EQB has long recognized that Minnesota’s Environmental Review Program does not adequately address issues of environmental justice nor disproportionate environmental impacts to some communities in Minnesota. To date, the Board has not discussed the specific implications of adding a demographic analysis to environmental review nor engaged with Minnesotans on this change, and therefore does not have a position at this time. EQB would be happy to continue working with the legislature on possible ways to improve the Environmental Review Program to better address environmental justice, and on engaging environmental justice communities to ensure program changes meet their needs.

The EQB looks forward to continuing to work together. Thank you for your consideration.

Sincerely,



Katie Pratt
Executive Director, Environmental Quality Board

CC: Rachel Ganani, Policy Advisor to Governor Tim Walz and Lt. Governor Peggy Flanagan
Representative Pat Garofalo, Republican Lead, House Ways and Means Committee
Representative Rick Hansen, Chair, House Environment and Natural Resources Finance and Policy Committee
Representative Josh Heintzeman, Republican Lead, House Environment and Natural Resources Finance and Policy Committee

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