



SIERRA CLUB

NORTH STAR CHAPTER

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Dear Chair Frentz,

I am writing on behalf of the Sierra Club North Star Chapter to express our significant concerns regarding the Senate Permitting Reform Bill, SF4784. We agree with many of the concerns brought forward by MCEA, CURE, and MNIPL. Here are five issues that rise to the top for our organization:

- **The loss of the environmental policy provision.** The repeal of 216E.02, subdivision 1, removes vital language concerning the state's policy on locating energy infrastructure. This language emphasizes the importance of minimizing adverse human and environmental impacts, ensuring system reliability, and meeting energy needs in an orderly and timely fashion while preserving environmental integrity. We strongly advocate for retaining this provision in the legislation to uphold our commitment to environmental preservation and environmental justice.
- **The proposed expansion of exemptions from the certificate of need permit.** We oppose including biomass and fossil fuel-generated hydrogen projects in the exemption list. In addition to potentially increasing climate emissions, this proposal exceeds the stakeholder group recommendations. We urge that any exemptions adhere strictly to stakeholder recommendations, limiting exemptions to wind, solar, and certain transmission lines to maintain our commitment to real climate solutions.
- **The proposal to move DOC-EERA staff to the PUC.** Keeping EERA staff at the Department of Commerce ensures more transparency for the public regarding environmental review. It is particularly alarming that this change would extend to all project types, including oil pipelines and fossil fuel projects. The lack of inclusivity of environmental justice communities and tribes in the stakeholder process meant these credible concerns may not have been considered in the formation of the recommendations.
- **The proposed transfer of substantive decision-making powers to the executive secretary of the PUC.** The A5 amendment grants the executive secretary authority over critical aspects of the permitting process, potentially including substantive decisions beyond administrative tasks. This concentration of power could undermine the accountability and transparency of the permitting process, jeopardizing public trust and the integrity of regulatory decisions.
- **The amendment expanding permitting reforms across industries.** We oppose Senator Hauschild's amendment, which seeks to expand the scope of reforms far beyond clean energy projects, and beyond the recommendations put forth by the Public Utilities Commission stakeholder group. The sudden inclusion of provisions such as revising permit completeness determinations and increasing expedited permits without adequate consultation and stakeholder input would compromise important environmental safeguards.

The general approach of the Senate bill, to delete large sections of existing statutes and write brand law in its place is concerning because it makes it hard to know what is being proposed or the effects of the bill. This approach shifts the burden of proof to citizens and advocates to explain what its flaws are, rather than keeping the burden of proof on those advocating changes. In this context we appreciate the House approach as providing more transparency. The approach taken in the Senate presents unnecessary challenges to resolve differences in conference committee and makes it harder to have confidence in the final outcome.

In conclusion, we urge you to address these concerns and ensure that the Senate Permitting Reform Bill aligns with principles of environmental protection and equitable development. We stand ready to collaborate and provide further input to develop legislation that prioritizes environmental sustainability and community well-being.

Sincerely,

Patty O'Keefe
Senior Field Strategist
Sierra Club North Star Chapter